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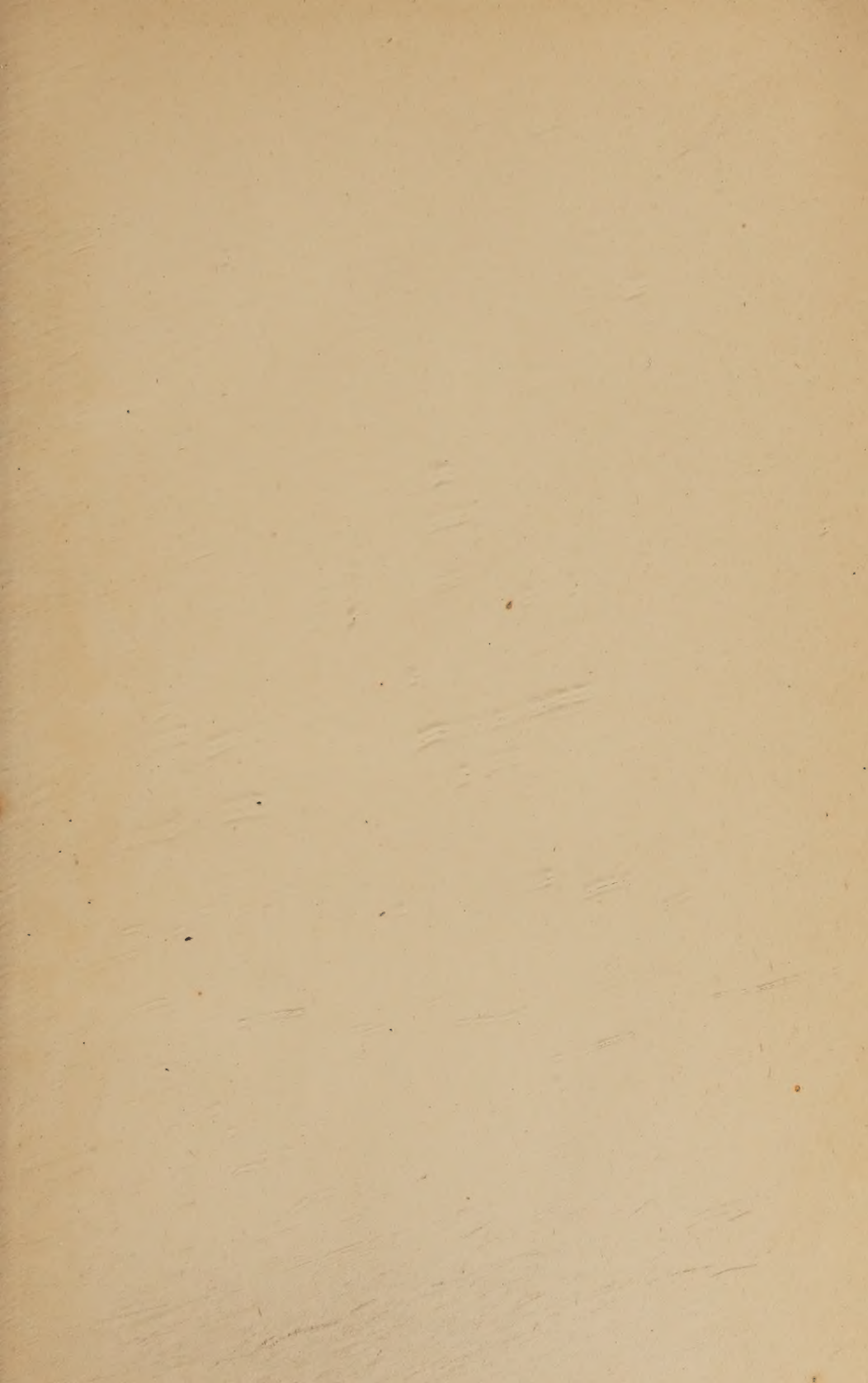
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Date Feb. 9, 1924







Edwin M. Stanton

(From his last photograph, October, 1868.)
[Filson and Son, Steubenville, O.]

EDWIN McMASTERS STANTON

THE AUTOCRAT OF

Rebellion, Emancipation, and Reconstruction



Whate'er they call him — what care I?
Aristocrat, Democrat, Autocrat!!
He was one who Ruled but dared not Lie.

In the hands of one entirely great,
The pen is mightier than the sword.

BY

FRANK ABIAL FLOWER

AUTHOR OF

"History Republican Party," "Life of Matthew H. Carpenter," "Old Abe," "Eye of the Northwest," "Profit-Sharing in America," "Industrial Wisconsin," "Basis for International Cooperation," "International Deep Waterways," "Reminiscences of General Herman Haupt," etc.

PROFUSELY ILLUSTRATED

AKRON, OHIO

THE SAALFIELD PUBLISHING COMPANY

NEW YORK

1905

CHICAGO

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CONTENTS

CHAPTER	PAGE
Prefatory Comment	17
I.—Mountain Peaks	19
II.—A Puny Babe—Heroic Surroundings	22
III.—In Kenyon College	27
IV.—Work, Law, Slavery	30
V.—Settles in Cadiz—Marries	32
VI.—Returns to Steubenville—Active in Politics.....	36
VII.—Death of His Idols	38
VIII.—Great Cases—A Tragedy.....	42
IX.—Steubenville Anecdotes and Reminiscences.....	46
X.—In Pittsburg—Wheeling Bridge Case	53
XI.—Other Important Litigation—Meets Lincoln	60
XII.—Second Marriage—California Land Cases	66
XIII.—Trial of Daniel E. Sickles	73
XIV.—A New Home—Election of 1860	79
XV.—A Seething Caldron	82
XVI.—A Remarkable Memorandum	88
XVII.—Gigantic Battle for the Union	96
XXIII.—Letters to Buchanan—Lincoln Excoriated	105
XIX.—Resumes the Law—Appointed War Minister	114
XX.—Work for a Titan	118
XXI.—Opening Intercourse With McClellan	121
XXII.—An Era—Creating Order	127
XXIII.—Arbitrary Arrests—General Stone	133
XXIV.—Succeeds McClellan as General-in-Chief	138
XXV.—The Famous "Morning Hour"	142
XXVI.—Approves McClellan's Plans	146
XXVII.—Captures Norfolk	152
XXVIII.—The Lofty Dyer Letter	157
XXIX.—Creates and Fights a Navy	162
XXX.—A Mutilated Telegram Saves McClellan	166
XXXI.—McClellan's Threat to Surrender	169
XXXII.—Great Battle With the Pen—Pope Slaughtered	172
XXXIII.—An Everlasting Indictment—McClellan Reinstated ..	176
XXXIV.—Slaves—Stanton the Real Emancipator	182
XXXV.—McClellan Relieved—Stanton Vindicated	191
XXXVI.—Disappointed in Meade at Gettysburg	198
XXXVII.—A Thrilling Rescue—Rosecrans Saved	203
XXXVIII.—Newspaper Hostility—War Diary	208
XXXIX.—Perfect Autocracy—The Military Telegraph	216

XL.—Still the Autocrat—Military Railroads	223
XLI.—Prisoners of War—A Heart-Breaking Duty	229
XLII.—Raising Troops—Fearful Draft Riots	240
XLIII.—The Fire in the Rear	249
XLIV.—Hampton Roads Peace Conference	257
XLV.—The Surrender—A Rescuing Hand	259
XLVI.—Lincoln's Colossal Blunder Rectified	269
XLVII.—Celebrating and Rejoicing	273
XLVIII.—Lincoln Assassinated—Stanton as Acting-President..	276
XLIX.—Conspirators Captured and Executed	285
L.—Grand Review—Sherman's Affront—Disbandment ...	288
LI.—Faithful Lieutenants	293
LII.—Inaugurates Reconstruction—Military Governors ...	296
LIII.—Parting of the Ways	300
LIV.—Turmoil—Rescuing Grant	305
LV.—"Swinging Around the Circle"—Great Letter to Ashley	309
LVI.—Victorious Over Johnson and His Advisers	315
LVII.—A Patriotic Conspiracy	320
LVIII.—A Brief Respite—The McCardle Case	324
LIX.—Answers the President	328
LX.—Besieged by the President	331
LXI.—Congress at Stanton's Feet	336
LXII.—Impeachment Fails—Stanton Retires, out of Funds ..	340
LXIII.—War Office Secrets and Episodes	345
LXIV.—Religion as a War Force	371
LXV.—Grant's Criticisms—Inside History	376
LXVI.—Heroic Politics—Great Speeches for Grant	391
LXVII.—A Struggling Wreck—Supreme Bench	399
LXVIII.—Death	408
LXIX.—Property—Last Will	411
LXX.—Sidelights—Gleams of Character	414
LXXI.—Storm-Swept	426

INDEX TO ILLUSTRATIONS.

A

Andrew, Gov. John A.	154
Andrews, Eliphalet F.	44
Anderson, Gen. Robert	100
Andersonville Prison	232
Arnold, Samuel	280
Ashley, James M., M. C.	188
Atzerot, Geo. A.	280
Autograph Letter	356

B

Badeau, Gen. Adam	266
Banks, Gen. N. P.	140
Barlow, Samuel L. M.	122
Barnes, Gen. James K.	200
Batcheller, Capt. Chas W.	362
Bates, D. Homer	220
Bates, Edward	130
Beatty, Mrs. Hetty	44
Bingham, John A., M. C.	188
Black, Jeremiah S., ...	80
Blair, Gen. Francis P.	158
Blair, Montgomery	130
Booth, John Wilkes	274
Boutwell, Geo. S.	338
Boyce, W. W., M. C.	164
Breckinridge, John C.	64
Bronson, Sherlock A., D. D.	374
Brough, John	244
Buchanan, Rev. Geo.	374
Buchanan, James	80
Buchanan, Rev. Joseph	374
Buchanan, Wm. Stanton	50
Butler, Gen. B. F.	74

C

Cameron, Simon	116
Campbell, Judge John A.	108
Carpenter, Matthew H., U. S. S.	206
Cartter, Judge David K.	206
Cass, Lewis	80
Castle Thunder	384
Chalmers, Gen. Joseph W., C. S. A.	164
Chandler, Albert B.	212
Chase, Bishop and Mrs. Philander	36
Chase, Salmon P.	116
Clemson, Mrs. Margaret W.	34
Cobb, Howell	80
Cochrane, Gen. John	140

Collier, Daniel L.	34
Confederate "Quaker" (Wooden) Guns	144
Corbett, Boston	154
Corey, James B.	362
Corning, Erastus	294
Coyle, John Francis	362
Curtin, Gov. Andrew G.	294
Cushing, Caleb	322

D

Dana, Chas. A.	148
Davis, Jefferson	86
Davis, Jefferson, a captive	298
Dawes, Henry L., M. C.	206
Dawson, Col. N. E.	266
Dennison, William	244
Dewey, Chauncey	50
Dickerson, E. N.	58
Dix, Gen. John A.	80
Dixon, James, U. S. S.	346
Douglas, Stephen A.	412
Dyer, Bishop Heman	374

E

Early, Gen. Jubal A., C. S. A.	164
Eckert, Gen. Thos. T.	212
Ellet, Col. Chas.	100
Emerson, Ralph	58
Evarts, William M.	322
Execution of Capt. Henry Wirz	238
Execution of the Lincoln Conspirators	286

F

Fessenden, Wm. Pitt	130
Filson, Davison	44
Floyd, John B.	64
Forrest, Gen. Nathan B.	164
Fremont, Gen. John C.	140
Fry, Gen. James B.	392

G

Garrett, John W.	226
Grand Review, Washington, D. C.	290
Grant, Gen. U. S.	262
Grimes, James W., U. S. S.	346

H

Halleck, Gen. H. W.	158
Hancock, Gen Winfield S.	262
Hardie, Gen. James A.	100
Harding, Geo.	58
Harper, John	34
Haupt, Gen. Herman	148
Henderson, J. B., U. S. S.	346
Herold, David E.	280
Hewitt, Abram S.	412
Hill, Gen. D. H.	144
Holt, Judge Jos.	200
Hooker, Gen. Joseph	386
Hughes, Archbishop John	100
Hunter, Robert M, T.	86

J

Jackson, Gen. T. J. (Stonewall)	164
Johnson, Maj. A. E. H.	148
Johnson, President Andrew	310
Johnson, Reverdy	58
Johnston, Gen. Joseph E.	164

K

Kenyon College	28
King, Horatio	64

L

Lamon, Ward H.	362
Lee, Gen. Robert E.	194
Libby Prison	174
Lieber, Dr. Francis	100
Lincoln Conspirators	280
Lincoln, Portrait of	276
Lincoln's Private Car at City Point, Va.	258
Lincoln's Visit to McClellan	170
Logan, John A.	338

M

Magruder, John B.	144
Managers Johnson's Impeachment Trial	338
Manny, John H.	58
Marcy, Gen. Randolph B.	386
Mason, James M.	108
McCallum, D. C.	153
McClellan, Gen. Geo. B.	158
McCook, Geo. W.	50
McCormick, Cyrus H.	58
McCrary, Thos.	34
McCulloch, Ben	86
McCulloch, Hugh	346
McFadden, H. S.	34
Meade, Geo. G.	158
Meigs, Gen. Montgomery C.	200
Milligan, L. P.	250
Moorhead, Gen. J. K., M. C.	188
Morton, Oliver P.	206
Mullen, John	44

O

O'Brien, Richard	212
O'Laughlin, Michael	280
Old Capitol Prison	350
Ould, Robert	322

P

Payne, Lewis	280
Peppard, S. G.	50
Pierrepont, Edwards	412
Pillow, Gideon J.	144
Porter, Fitz John	154
President Buchanan's Cabinet	64-80
President Lincoln's Cabinet	116-130

R

Randall, Alexander W.	322
Reagan, John H.	86
Rosecrans, Gen. Wm. S.	386
Ross, Edmund G., U. S. S.	346

S

Saxton, Gen. Rufus	74
Schenck, Gen. Robert C.	262
Schofield, Gen. John M.	270
Scott, Thomas A.	226
Seward, Wm. H.	116
Seymour, Gov. Horatio	294
Sherman, Gen. Wm. T.	266
Sickles, Gen. Daniel E., ...	74
Simpson, Bishop Matthew	374
Slidell, John	108
Smith, Caleb B.	116
Somers, L. A.	212
Spangler, Edward	280
Sparrow, Rev. Wm.	28
Speed, James	130
Stager, Gen. Anson	212
Stanbery, Henry	322
Stanton, Attorney-General	80
Stanton's Birthplace	24
Stanton's Cadiz Home	40
Stanton's Indictment of McClellan	180
Stanton's Law Partners	50
Stanton, Secretary of War	130
Stanton's Steubenville Home	40
Stanton's Tomb	420
Stanton's Washington Home	24
Steubenville, O., Courthouse	40
Stevens, Thaddeus	412
Stone, Gen. C. P.	158
Stuart, Gen. J. E. B.	144
Sumner, Charles, U. S. S.	188
Surratt, John H.	274

T

Tappan, Benjamin, U. S. S.	50
Taylor, Alfred	44
Telegraph Corps, U. S. Military	212, 220
Thomas, Gen. Lorenzo	200
Thomas, Philip F.	64
Thompson, Jacob	64
Tinker, Chas. A.	220
Tod, David	244
Toombs, Robert	108
Toucey, Isaac	64
Townsend, Gen. E. D.	392
Trescot, Wm. H.	206
Trumbull, Lyman	412
Tucker, John	136
Turnbull, James	44

U

Umbstaetter, Theobald	50
Usher, John P.	116

V

Vallandigham, Clement L., M. C.	250
Vanderbilt, Cornelius	226
VanVliet, Gen. Stewart	154
Van Winkle, Peter G., U. S. S.	346
Viele, Gen. Egbert L.	100
Vincent, Gen. Thos. M.	392
Vote on Johnson's Impeachment	340

W

War Department Buildings	404
Watson, Peter H.	294
Weitzel, Gen. Godfrey	386
Weid, Rev. Theodore D.	374
Welles, Gideon	130
Whiting, Wm.	392
Wigfall, Louis T.	86
Wilkes, Admiral Charles	154
Williams, Thos.	338
Wilson, James	338
Wilson, Wm. Bender	212
Wood, Fernando, M. C.	250
Wool, Gen. John E.	140

PREFATORY COMMENT

A Life of James Buchanan, as president, ends with the opening chapter of Secession, and many of the most vital facts in even that pregnant movement have been omitted by his biographers.

A Life of Abraham Lincoln, as president, begins after Secession had become so far an accomplished fact as to possess a formal government with Jefferson Davis at its head, and ends before the Insurrection had fully subsided, or Reconstruction had been begun.

A Life of Andrew Johnson, as president, covers the constructive portion merely of the turbulent era of Reconstruction.

A Life of Edwin M. Stanton, however, embraces all of the periods named and gives, as by a search-light from within, the only story of those prodigious epochs that is not disconnected or fragmentary, or in some feature misleading.

Since this is true it is exceedingly unfortunate that Mr. Stanton kept no private letter-books and (purposely, as I believe,) left no material for the use of biographers which they cannot find in the official records or see in his public acts. This peculiarity rendered the labor of compiling even a single volume that was planned to give a true picture of what he really did, prolonged and difficult.

Fifty volumes like this would hardly suffice to tell all that might be told, but enough that is new has been squeezed into these covers to annihilate much that heretofore has been accepted as "history" and reverse the positions of many of the foremost actors of the century. Every important statement is founded upon incontrovertible public records or the testimony of actual witnesses of the highest character.

Personal evidence is given in the language, essentially, in which it was communicated. Such information as was not furnished in writing, but orally, was invariably reduced to manuscript and submitted to the givers for revision and approval, and appears herein thus revised and approved.

The Stanton letters, nearly all of which are new to the public, were, in the main, contributed in the original by persons to whom they were written; otherwise in the form of copies carefully corrected by comparison with the originals.

The story is given in epochs, or is subdivided according to momentous subjects, for the express purpose of enabling the reader to study Stanton's Desperate Struggle to save the Union under Buchanan, the Emancipation and Arming of Slaves, the Autocratic Management of Railways and Telegraphs, the unique feature of an Independent War-Department Navy, the Exasperating Contest with General McClellan, the Exchange of Prisoners of War, the Assassination of Lincoln, the Broil with President Andrew Johnson, and so on, without being distracted in any instance by the presence of matter having no pertinence to the subject immediately in hand.

I shall be glad to hear from any person who can suggest corrections or offer new matter.

Washington, D. C., March, 1905.

F. A. F.

CHAPTER I.

MOUNTAIN PEAKS.

An adequate picture of the mountain never comes from one of its own dwellers. His vision is so thoroughly cut off by the great crags and crevices among which he is hidden that he is unable to measure the height to which its icy peak shoots into the clouds, or the extent to which its broadening base stretches down to the sea. He cannot consider truly how far its jagged shoulders overtop or are flanked and supported by the surrounding hills, nor point out how its everlasting walls cause rivers to shift their courses to the ocean and, by changing the pathway of advancing storms, create alternate droughts and floods in the wide plains below.

So with a panorama of the Rebellion. It cannot be true in proportion or color until the limner, by the ripening lapse of time, shall have become so far removed from its mighty outlines that he can correctly distinguish between little things and big; between events which were vital and those which were merely bulky; between movements which were decisive and those which were non-essential; between man and man, general and general, plan and plan, luck and foresight.

Already enough of that time has elapsed so that indisputably the most majestic civil figure observable in the Rebellion horizon is that of Edwin McMasters Stanton, Attorney-General in the cabinet of James Buchanan and Secretary of War in the cabinets of Abraham Lincoln and Andrew Johnson.

He was the dominating spirit and power in the quaking Republic during nearly seven of its most tumultuous and eventful years. Everybody knew and felt it then—not only the masses but courts, executive departments, Congress, the markets, maritime operations, disloyal not less than loyal States, and the White House.

Those of to-day will have the same feeling when they become fully cognizant of the facts set forth in the following condensed summary of the greatest of Stanton's great achievements:

1. He established, by the ever-famous Wheeling Bridge Case, national sovereignty over all internal navigable waters;
2. Settled, by the Pennsylvania State Canal and Railway Cases, the right of the people to control all methods of public transportation;
3. Prevented the army of California claimants from looting the Pacific coast;
4. By main strength upset President Buchanan's negotiations with the secession "commissioners" and wrecked the well-matured plans of the South to peaceably dismember the Union;
5. In 1862, as Secretary, caused the War Department to be born again;
6. Induced Lincoln to assert the supremacy which the constitution gave to him as Commander-in-Chief of the Army and Navy;
7. Created the prodigious industrial era which made America what it is, by canceling all contracts for foreign-made goods and prohibiting the purchase of any except home-made articles for the military forces;
8. Inaugurated military promotions for merit;
9. Flung so-called "neutral" and disloyal employes out of the public service;
10. Smote corrupt contractors, hip and thigh, and relentlessly whipped thieves and robbers out of the army;
11. Organized the Military Telegraph and Military Railway Systems as independent despotisms;
12. Suggested a plan to General B. F. Butler to capture New Orleans, and it was captured;
13. Conceived and personally commanded at the capture of Norfolk and the blockade of the James River;
14. Conceived, created, and sent forward the independent navy of thirty-eight rams and mortar boats which cleared the upper Mississippi of insurgent craft and captured and held Memphis;
15. Conceived the Confiscation Act;
16. Armed and employed the slaves of rebellious masters to save the Union despite the opposition of Lincoln, the cabinet, and the officers of the regular army;
17. Crowded Lincoln until he was compelled to sign the Emancipation Proclamation;

18. Rescued the starving Army of the Cumberland at Chattanooga and saved the Middle West ;

19. Resolutely provided for the safety of Washington and thus insured a stable Government to prosecute the war for the Union ;

20. Adhered to and protected Grant when the clamor was furious against him and promoted him continually until he became president ;

21. Conceived the Trumbull amendment of the constitution, which wiped out slavery forever ;

22. Adroitly prevented Lincoln from being snared by the insurgent commissioners at the Hampton Roads "peace conference" ;

23. Prevented Lincoln and Grant from giving away the fruits of victory in the terms of surrender to Lee ;

24. Prevented the rehabilitation of secession by causing the recall of Lincoln's permit to reassemble the insurgent legislature of Virginia after the surrender of Lee ;

25. Prevented the recrudescence of secession on a civil basis by annulling the Sherman-Johnston-Davis terms of surrender ;

26. Acted as President, Secretary of War, Secretary of State, Commander-in-Chief of the armies, Chief of Police, Dictator, and national muezzin at the murder of Lincoln, and slept not until the assassins were captured ;

27. So put Grant, Meade, and other commanders on record under oath and in writing and so preserved the official history of the Rebellion that calumny and falsehood were rendered innocuous to him forever ;

28. Conceived and successfully began reconstruction along the lines finally adopted by Congress and confirmed by the courts ;

29. Prevented President Johnson from seizing the army and bringing on another revolution and then, having saved the country from disaster thrice and thrice again, laid down in poverty, worn out, and died.

CHAPTER II.

A PUNY BABE—HEROIC SURROUNDINGS.

At Steubenville, Ohio, on Monday, December 19, 1814—a day turbulent, chilly, and full of driving snow—the first child was born to Dr. David and Lucy Norman Stanton, and, in honor of Mrs. Stanton's god-father (the Reverend David McMasters), was named Edwin McMasters Stanton. It was a small and puny babe, too weak to suckle, and, the mother's life being in danger, was transferred through the drifting snows to her own home by Mrs. Warner Brown.

For three years the babe continued to be scrawny and bloodless. His stunted stature and sickly organization, contrasting strangely with the robust physiques of his ancestors, seemed, however, to add to the brightness of his unusually mature mind.

At four he was more rugged; at seven he began attending a private school; at eight he was transferred to a seminary conducted by Henry Orr, in the rear of his father's residence; at ten, having made good progress, he was admitted to the Reverend George Buchanan's Latin school, where he learned Latin, Greek, history, and some of the higher branches. The father took great interest in his son's education, assisting him to collect a museum of insects, frogs, small animals, birds, etc.

"While gathering his natural-history museum, Eddie Stanton learned to train snakes," says Lewis Anderson of Steubenville. "In fact, he became a snake-charmer. Once, when he came into our house with a couple of long snakes wound around his arms and neck, mother screamed and the children fled. Father rushed in and hustled Ed and his horrible snakes into the street. Ed's father wished him to become a physician, and articulated a human skeleton and hung it in the barn back of the house for him to study. Ed gave lectures on this skeleton which I attended. He put a lighted candle inside of the skull and gave some of us the horrors. He also gave lectures on God, the Bible, Moses, and the Flood in

the same stable. He was of a religious turn of mind, a good talker, and very earnest and emphatic."

"He was always a MAN," says the Reverend Joseph Buchanan, "always aimed at something high and never spent an idle moment. He was not only a good student, but a good talker, and from boxes and barrels in his father's stable displayed his eloquence to his playmates."

At the age of ten he was a member of Mrs. Hetty Beatty's Bible class, and attended Methodist church services regularly. On January 27, 1827, when barely twelve, he joined the church on probation. On December 24, 1827, having stood the probationary tests, he confessed Christ and became a "full member" of the church. "He was frank and manly, and impressed all as being sincere," says Mrs. E. H. McCarty of Steubenville. "He did not hang his head and hesitate, but rose promptly to give his confession."

Edwin was thirteen and an advanced pupil, when, on December 30, 1827, his father startled the village by dropping dead of apoplexy on the threshold of his residence. The blow fell heavily upon Lucy Stanton. There was considerable money due from her husband's patients, which at first she believed to be collectable; but, being unable to realize much on these accounts, she added groceries, books, and stationery to the stock of medicines left to her, and opened a general store* in the front room of her residence.

Edwin continued his studies, assisted his mother in the shop, cared for the family cow, and made himself generally useful. Early in the summer of 1828, James Turnbull gave him a place in his large, prosperous and well-conducted book-store and publishing house, at fifty dollars for the first, seventy-five dollars for the second and one hundred dollars for the third year, with the privilege of continuing to study the languages under the Reverend Mr. Buchanan.

"Mr. Turnbull never took but one exception to him as an em-

*"My sister Lucy opened a shop more in pride than necessity," says Mrs. J. C. Duerson of Washington. "We at home in Culpepper, Virginia, were not aware at the time that she was keeping store. Father was wealthy and sent money to her after her husband's death, and would have sent more very gladly if she had disclosed that she needed it. He not only forwarded money, but wished to send slaves to do her work and care for the children; but, of course, that seemed to be forbidden by the law of Ohio. After father died, in 1838, Sister Lucy neither received nor needed aid, for Edwin had begun to earn substantially and to look after his mother."

ploye," said Captain J. F. Oliver, Mr. Turnbull's son-in-law. "When customers came into the store he was often so absorbed in his book that he did not attend to them very promptly. He consumed every book in the store."

His duties were numerous. Besides handling and selling books and stationery, he bought rags and stock for the local paper mill, assisted in the publishing and subscription branches, and dealt particularly with surrounding school officers in educational supplies. This experience was valuable, for Mr. Turnbull was an exacting and successful business man.

During his apprenticeship he organized a circulating library for the use of which he charged a fee of ten cents per term per person. "It was quite a pretentious collection, and was patronized as much by adults as young people," says James Gallagher of Steubenville.

"I remember Edwin's circulating library well," says John Harper, president of the Bank of Pittsburg, who resided in Steubenville until 1830, "for I secured such books therefrom as my young friend recommended. He was fond of reading poetry and the Bible, and was familiar with Shakespeare."

He was particularly attracted by Montgomery's hymns and poetry and the story of his imprisonment, frequently reading "Pelican Island" and "The World Before the Flood" aloud to his friends with much elocutionary power.

During his apprenticeship Stanton contributed to the support of his mother, brother, and sisters; he was a member and for one term president of "The Polemics," a local debating society; a faithful communicant of the Methodist Church, and a regular attendant at Sunday school.

His first sweetheart, the now venerable Mrs. Clemson of Xenia, Ohio, who, as Miss Margaret Hoagland, resided in Steubenville until 1836, says:

I shall never forget Edwin M. Stanton. He was the handsomest and smartest boy in Steubenville, having such bright black eyes. We were together a great deal, so much so that—who will not pardon a woman of 80 for admitting it?—it was predicted by many that some time we would be married. No party or gathering of young people was complete without him. He was always pleasant, agreeable, and full of life and fun, and always ready to escort the girls. However, he loved books better than either parties or girls. His habits were excellent—studious, ambitious, industrious, and sober. He was upright and truthful, too, and very attentive to his mother and sisters. He attended church regularly. I never knew a smarter boy or one with a nobler heart and better principles.



STANTON'S BIRTHPLACE,
Steubenville, O.



STANTON'S HOME,
Washington, D. C.

The influences that had surrounded Stanton up to this time were potential in character-molding. His mother, a well-educated school-teacher, a Virginian, was a devout Methodist; his father, a native of Beaufort, North Carolina, had been a polemical Quaker; his tutor was a strong-minded and vigorous Presbyterian of great learning, and he himself a spirited actor in church and Sunday school. At quarterly meetings his father's house was crowded with Methodist preachers and elders, and at all times it was the resting place of religious itinerants of every denomination—especially Hicksite Quakers.

But, while the atmosphere of religious kindness and generous hospitality pervaded the home, inveighing against slavery was the dominant theme. Dr. Stanton was not only an abolitionist but urged that native medical herbs be planted and native medical supplies be used in place of those from slave sections, so that "love of liberty and our American practise may be coincident."

In January, 1821, Benjamin Lundy, who received his first lessons in abolitionism from Dr. Stanton while in school at Wheeling, established his *Genius of Universal Emancipation* at Mt. Pleasant, Ohio. Dr. Stanton became his agent, correspondent, and salesman, pushing the interests of this first anti-slavery publication with vigor. Lundy was a saddler working at Wheeling and Mt. Pleasant. It was his habit to take the MS. for an issue of his paper to Steubenville, and, putting up with Dr. Stanton while the type was being set, earn enough money in the local saddlery to defray the expense of the edition. After the *Genius* was thought to be on its feet, Lundy frequently sent the MS. for its issues to Dr. Stanton, who procured the printing and read the proof. Then, if the completed edition could not be sent by a friend, or there was no cash available with which to defray carriage by stage, he tied the package on his back and "toted" it about twenty miles through gullies and over hills to Mt. Pleasant. James Gallagher, also a saddler, who was intimate with both, says: "Dr. Stanton furnished more cash and credit than Lundy for the *Genius*. Outside of his love for his profession, the Doctor's strongest trait was hatred of slavery."

William Thaw of Pittsburg, president of the Pennsylvania Company, says: "Edwin M. Stanton told me when he was a boy his father had—like the father of Hannibal against Rome—made him swear eternal hostility to slavery, and the vow would be binding to his last day."

This vow was taken while his father and mother, both natives of slave States, were actively aiding and protecting the slaves that constantly escaped from Virginia, whose bold hills were in full view from their house immediately across the Ohio River.

What atmosphere could breathe more purely the spirit of civil and religious liberty and of fearless adherence to principle than that in which Edwin M. Stanton passed his childhood?

Dr. David Stanton taught abolitionism to Benjamin Lundy and helped him to establish, if he did not suggest, the first emancipation paper in the United States; and his son Edwin M. and not Abraham Lincoln, as we shall see further along in this volume, was the real author of the great act of final emancipation.

CHAPTER III.

IN KENYON COLLEGE.

During his apprenticeship to Mr. Turnbull, Stanton pursued his studies tenaciously; but, not liking the calling of physician, for which his father had designed him, he demanded a college education before finally deciding on a profession. Therefore, Guardian Collier being willing to advance the necessary funds and Mr. Turnbull to cancel the apprenticeship, he left by stage, in April, 1831, for Kenyon College at Gambier, Ohio, then under the personal direction of Bishop Philander Chase and known as "The Star in the West." At Wooster he was detained two days by an attack of asthma,* from which, after his tenth year, he was never free.

Choosing an "irregular course" which permitted him to select his own studies, he fell to work with vigor and enthusiasm. The college was located in the unbroken forest. In winter the rising bell rang at 5 o'clock and the first recitation was held twenty minutes later. In summer the first bell rang before sunrise, and the second at sunrise, for prayers. At 9 o'clock in the evening all lights had to be out and all students in bed. The boys were required "to sweep their own rooms, make their own beds and fires, bring in their own water, and take an occasional turn at grubbing in the fields, or working on the roads."

Stanton at once joined the Philomathesian Literary Society, early becoming prominent in its exercises and deliberations, and donating its first record book, on the cover of which the inscription is yet plain: "Presented by E. M. Stanton." About this time the prevailing State-rights and nullification controversy invaded the Philomathesian Society. Those who adhered to John C. Calhoun's theory that a State is greater than the United States, which Stanton

*Mrs. J. C. Duerson of Washington, D. C., his mother's sister, says: "Edwin inherited a predisposition or tendency to asthma. His grandfather, Thomas Norman, was afflicted with asthmatic convulsions for more than sixty years and the symptoms of the two cases were similar."

combated with vehemence, resigned and founded a new association. Stanton was elected secretary of the reorganized Philomathesians and served on several committees and appeared on one side or the other of nearly every debate until he left Gambier.

One of the noted incidents in Kenyon history is his escapade with Bishop Chase's fine horse "Cincinnatus." He was considerably smitten with a lively and beautiful Miss Douglass, who lived in a log cabin in the forest some miles distant from the college. Desiring, one boisterous night, to visit her and her sisters, Stanton and a companion together rode Cincinnatus out to the Douglass home and back through deep, fatiguing roads. When, on the following morning, the Bishop found his good horse exhausted and spattered with mud, his wrath knew no bounds. The offenders were discovered, and the matter was brought before the faculty. The Bishop would listen to nothing in extenuation, so Dr. Heman Dyer, one of the faculty, advised Stanton to confess and ask forgiveness.

"I'll do it," was the reply. "Now," says Dr. Dyer, "Stanton was a fellow of good heart, and full of feeling. He went to the Bishop, made a clean breast of it, acknowledged his error, and asked forgiveness. The Bishop's wrath was soon gone. His big heart was touched. He spoke to Stanton tenderly of his widowed mother and of the life that was before him, and before long both were in tears and parted good friends."

"One day Stanton was minded to have some potatoes on his own hook," says the Reverend S. A. Bronson of Mansfield, Ohio. "A professor saw him and called out: 'Stanton, those potatoes belong to the College.' 'So do I,' answered Stanton, digging away, which, I believe, settled the matter."

In August, 1832, his guardian, D. L. Collier, wrote to Stanton that it "seemed necessary to suspend the college course for perhaps a year or two in order to earn something to improve the financial situation at home." Therefore, on September 7, 1832, he left Kenyon, as he supposed, for "a year or two," but, as fate willed, forever.

Some of the controlling influences and most enduring friendships of his life, however, came from Kenyon. There the doctrines of the Episcopal Church, in which he died, took root; there he sent his son Edwin L. who, in 1863, graduated with the highest honors in the history of the institution; thither he often returned with affectionate interest, and from its graduates and tutors he chose some



REV. WILLIAM SPARROW.

OLD KENYON COLLEGE,
Gambier, O.

of the most confidential and trusted advisers of his later career.

When he left, he had finished history, mathematics, chemistry, political economy, geology, Latin, and the third year of Greek; and would have graduated on the highest level at the end of another session, if he could have remained.

CHAPTER IV.

WORK—LAW—SLAVERY.

Mrs. Stanton had been obliged to close her store for want of capital, and was very poor. Guardian Collier could make no further advances and, James Turnbull offering to reengage him, Stanton left by stage within a week of his return from college to take charge of a large book and stationery branch at Columbus, the State capital, at two hundred and fifty dollars per year and sleeping quarters in the store. Mr. Turnbull was precise and severe, and the trust he placed in Stanton is proof of the boy's excellent character and capacity.

His time during the following year was fully occupied with bookkeeping, collections, and remittances. He attended Trinity Episcopal Church, listened to the debates of the State legislature when possible, and read such law books as the shelves of his store afforded.

In 1833 the cholera swept over Ohio. On a certain day at 2 o'clock Miss Anna Howard, daughter of a "steam doctor" with whom he had a home, served Stanton with dinner. On returning for tea he learned that she was dead and buried. Cholera, like lightning, had struck her down. He could not believe she was dead. Requesting two young friends to assist him, he proceeded to her grave, and, with his life in his hands, exhumed and opened the casket in order to be sure that she had not suffered the awful agony of burial alive. A. H. Smythe of Columbus, Ohio, says the heroic courage thus displayed in the midst of the universal panic was recognized and commented upon at the time; also that Stanton had a high standing in Columbus, although not yet twenty years of age.

At the end of his year Stanton wrote to his guardian that he wished to study law and would like to remain in Columbus. He had made the acquaintance of Mary A. Lamson, an orphan residing with her brother-in-law, the Reverend William Preston; indeed, he had fallen deeply in love with her and had already discussed betrothal.

Hence his desire to remain in Columbus. Guardian Collier advised a return to Steubenville to study law. "You may have a home in my house, and pursue your studies in my office," said he. Returning in October, 1833, Stanton devoted himself with energy to his studies, teaching a Sunday School class in the Protestant Methodist church, attending caucuses and political meetings, arranging and participating in moot-courts, and leading in a library organization called the Lyceum, but giving no time to hunting, fishing, sport, or recreation.

In 1834, Theodore D. Weld, the intrepid Massachusetts reformer, lectured in Steubenville on slavery. "At my last lecture," says Mr. Weld, "young Stanton sat in a front seat facing the pulpit. I said at the end: 'Friends, will all of you who believe it the duty of the people of the slave States to abolish slavery at once, please rise to your feet?' Stanton sprang to his feet and turned to the audience with uplifted hands, which rose in a body in response to his lead."

While pursuing his studies, Stanton attended to the collections, accounts, and small business of Mr. Collier's office, and frequently appeared in court to assist in citations, take down testimony, and care for books and papers. Having made good progress (although seriously afflicted at intervals with asthma), he went to St. Clairsville in August, 1835, to be examined for admission to the Ohio bar, and passed with honor.

Although not yet twenty-one he jumped into active practise under the patronage of his preceptor and guardian, D. L. Collier. His first appearance in court is thus described by John McCracken of Steubenville:

Sometime in the early autumn of 1835, I saw Stanton going into court with a bundle of books and papers and followed him. A suit for slander was on, and young Stanton was handling one side of it, with D. L. Collier sitting in the rear, watching him. He was wooling into the trial like everything, when one of the attorneys on the other side asked the Court to order him out of the case for being under age and not entitled or fit to practise. Instantly Mr. Collier arose and exclaimed: "Your Honor, this young man is as well qualified to practise law as myself or any other attorney of this bar; he has passed the examination; he is the son of a poor widow and should be allowed to go on." Even then Stanton had cheek. He remained standing while Collier was making this speech, and pitched right in again the instant his guardian sat down, without waiting for a ruling by the Court. The judge gazed at him quizzically, but said nothing.

CHAPTER V.

SETTLES IN CADIZ—MARRIES.

On January 1, 1836, twelve days after he became twenty-one, Stanton removed to Cadiz, a village of one thousand inhabitants, the seat of Harrison County, and entered into partnership with Chauncey Dewey, an attorney with an established reputation, extended practise, and large wealth.

For some years Dewey and Stanton were engaged on one side or the other of nearly every suit brought in the county, and had an extensive practise in the surrounding counties of Columbiana, Belmont, Tuscarawas, Carroll, and Jefferson. In 1836, out of funds earned in the Shotwell suits brought by him against the Farmers' and Mechanics' Bank of Steubenville, Stanton contributed to the expense of a course in medicine and surgery for his brother Darwin at Harvard University.

During the autumn he purchased a house in Cadiz and in December proceeded to Columbus—twenty miles of the distance on foot—to claim his bride (Mary A., orphan daughter of William K. Lamson) who for more than three years had been patiently and affectionately waiting for him. The marriage ceremony occurred in the house of the officiating clergyman, the Reverend William Preston, husband of the bride's sister, on Friday, December 31, 1836. The "bridal tour" consisted of a ride on a stage sleigh from Columbus to Cadiz, a distance of one hundred and twenty-five miles, over rough roads and through a sparsely settled country—"the brightest, sweetest journey of all my life," said Stanton years afterward. A cozy little home, handsomely situated on a knoll in the outskirts of the village and surrounded by trees, was partially furnished for the bride on her arrival in Cadiz.

The marriage was indeed happy. Stanton did not love, he worshipped. He adored as much with his head as his heart. Rugged and intense, sentiment and affection with him were fused into a glowing and absorbing passion which could not be divided or restrained.

Existence itself was wrapped up in the object of his adoration. He could not have more than one idol, and for that idol his soul was immeasurable, and in his heart "beyond the deepest deep was still another deep."

Both were poor, but Miss Lamson had been carefully educated and her manners were gentle and refined. Her heart was full and sympathetic and in it Stanton's aggressive nature found a delightful refuge, his impetuous ardor a sweet and tender response.

"I recall Mary A. Lamson as a retiring, refined, and delicate young woman, of lovable and Christian character," said Mrs. Anne E. Dennison, wife of the famous war governor of Ohio. "Mr. Stanton loved her passionately and cherished her memory to the end of his life. We bought the house that Reverend Mr. Preston built in Columbus, and lived in it; and when my daughter was married to General J. W. Forsythe, in 1867, Mr. Stanton led me under the chandeliers and said with deep feeling: 'Here is where Mary and I stood to be married.' In Washington he always treated me with the utmost kindness and consideration, connecting me fondly with the home of his Mary."

Immediately after establishing himself in Cadiz, Stanton became very active in politics. During the campaign of 1837 he was elected prosecuting attorney on the Democratic ticket. He made a personal canvass of the towns, frequently accompanied by his wife and by a novel system of organization overturned the Whig majority, a fact that, before the election, was not supposed to be possible. The salary of the office was only two hundred dollars per year, but he must have been making money in his profession, for in addition to his home in the village, he purchased a tract of eighty acres in Washington township, and acquired also several town lots.

Although his business was large in Cadiz, the matters involved were small compared to those growing out of the extensive manufacturing, banking, and commercial interests developing along the Ohio River, and at the end of three years he decided to return to Steubenville. Before following him there, however, some personal reminiscences by survivors who knew him in Cadiz will be interesting. Thomas McCrary says:

I lived with Ed Stanton from August, 1837, till March, 1838. He was one of the kindest and most affectionate of men. I had many talks with him after his wife died, and he could never speak of her without weeping.

Stanton's brother Darwin came occasionally to Cadiz and I went out

hunting with him. Ed never hunted an hour in his life. He worked all the time, worked terribly. He invariably carried, in a beautiful sheath on the inside of his vest, a fine dagger, seven inches in length. As he gave no time, not a moment, to personal controversies, and was never abroad except on business, I never decided why he carried such a dreadful weapon. His habits were temperate.

Don't remember that he attended church, though he was religiously inclined; had no amusements. Never heard him sing a note or knew him to give a moment to gaiety. He was very active in politics, and strong anti-slavery, although in the Democratic party. His speeches against slavery were masterpieces. His style of speech-making and addressing a jury was forcible and aggressive and sometimes very eloquent. He dealt in facts. By some he was called gruff and severe to witnesses, especially if they were inclined to be crooked or sullen. I recollect that in the case of a man by the name of Thomas, on trial for murder, Stanton showed himself better posted in anatomy than the doctors. He had many a spat with the Court, and time and again I have heard Judge Kennon command him to sit down. He always obeyed, but was up the next minute and at it again, and generally gained his point, too.

He smoked occasionally, but not often. He was careful of his money, but did not charge high fees. In fact, he did much work for which he received no pay at all. He was always on the side of the helpless and did his greatest fighting in their behalf. I recollect an imbecile, a girl, to whom was willed for her support a piece of timbered land. Stanton, in 1838, negotiated a ninety-nine year lease of the land. Had any other course been adopted, the property would have been dissipated and the poor girl left helpless.

Judge A. C. Turner of Columbus, Nebraska, an attorney at Cadiz in Stanton's time, writes:

When Mr. Stanton was employed to defend a man who had administered to a person poison that finally caused death, he swallowed some of the drug in order to test the effect on himself. The consequences were severe, but the whites of eggs and other antidotes brought him out whole, and he saved the man's neck. To him there was nothing impossible in courage or acts to accomplish his purpose.

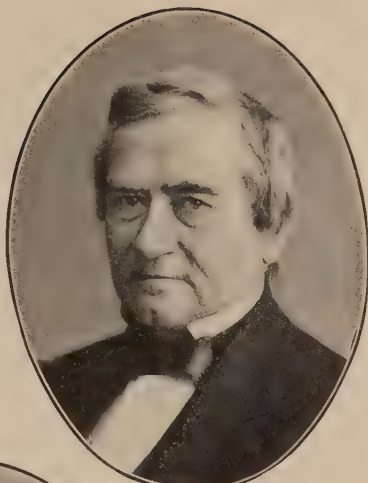
H. S. McFadden of the Harrison National Bank at Cadiz, having had the poison incident referred to him, replied:

The poison was taken by Stanton in a room at Lacey's Hotel on the night before the trial, in the presence of Sheriff Cady,* a reliable man. The

*J. Cady, writing from Beatrice, Nebraska, says: "My father, William Cady, the sheriff referred to, is dead, but my mother, now over 80, recollects the poison incident and says Stanton was capable of just such a blood-curdling episode if he considered it necessary to win for his client."



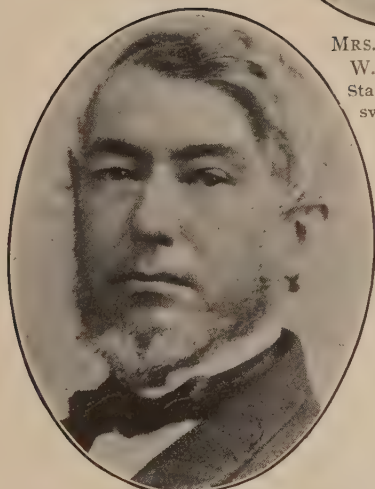
DANIEL L. COLLIER.
(Stanton's Guardian).



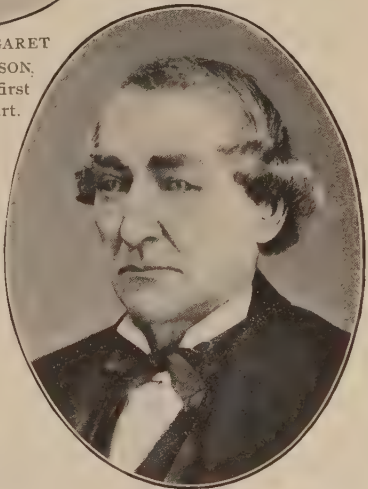
JOHN HARPER,
Pres. Bank of
Pittsburg.



MRS. MARGARET
W. CLEMSON,
Stanton's first
sweetheart.



H. S. MCFADDEN.



THOMAS MCCRARY.

case was tried in this town. Stanton had studied anatomy thoroughly, and, having tried poison on himself, appeared to know more than all the doctors. He made them out to be complete ignoramuses in the eyes of the jury, contradicting each other, especially as to the effects of poison on the human system. The jury, in consequence of Stanton's able defense, brought in a verdict of murder in the second degree, although the indictment was for murder in the first degree. Judge Kennon let it stand.

General Thomas M. Vincent, U. S. A., of Washington, D. C., who was born at Cadiz and knew Stanton all his life, says:

In Mr. Stanton's earliest practise he was a marked and attractive man and an antagonist of great power. I have often seen him emerge from the court-room with his collar broken down and linen wet with perspiration from the effort he had put forth for his client. He invariably exhausted every power he possessed to win. He was an honorable man of high standing from the first, and faithful to all trusts under every circumstance.

William G. Finney of Washington, D. C., who knew Stanton when he first began practising law in Cadiz, says:

The first time I was drawn to serve on a jury at Cadiz, Stanton was one of the attorneys in the case. He wore spectacles (being near-sighted) and a full beard on the chin and cheeks then as he did throughout his after life. He feared nothing. If he thought he was right, nothing could swerve him from his course. In those times he drew the very life out of adverse witnesses. In fact it was impossible, after his character became known, to get weak or crooked witnesses to take the stand against him. Once a witness became angry at his cross examination. "I am simply seeking to draw out the truth," said he, "and I hope you will not be offended if I succeed." He had no time for trivial matters. While others were trigging out and grooming their hair and persons, he was charging his mind with knowledge and power.

CHAPTER VI.

RETURNS TO STEUBENVILLE—ACTIVE IN POLITICS.

In October, 1838, Stanton formed a partnership with Benjamin Tappan of Steubenville, a man of ability and wealth, who in the following December was elected to the United States Senate. He was thus compelled to remove to Steubenville, although continuing his partnership with Dewey at Cadiz. He became a Mason; put his peculiar notions of political organization into effect and made "clean sweeps" in Jefferson as he had in Harrison County; represented his district in the Democratic State convention and was selected as a delegate to the Baltimore presidential convention of May 5, 1840. In the famous Log-Cabin Campaign of that year he was supreme in southeastern Ohio.

At an enormous tri-State mass meeting of Whigs and Democrats at Steubenville in July, his methods so exasperated the former that a serious riot was precipitated. The Democratic policy was anti-bank." Stanton held for collection more than fifty thousand dollars of the "over-issue" of the wrecked Bank of Steubenville, whose officers were Whigs. Before the great Whig procession passed his office he set out in front of it a large tombstone on which he had pasted the worthless bills of the defunct bank. This was too much for the Whigs, who angrily turned their procession toward the Democratic grand stand where Stanton was speaking and brought on a terrific riot. Stanton himself was not injured, but others were and the Whigs held him responsible for the bloody *emeute*.

The Democrats were defeated in November, and Stanton, having made a fine reputation, dropped political activity and concentrated his energies on his profession. He admitted several bright young students to his office, and accepted business from every direction. The court calendars were crowded with his cases, newspapers teemed with his legal notices, and he was compelled to work almost night and day, Sundays included, to take care of his clients.

During 1840 the first babe, christened Lucy Lamson Stanton, made its appearance in the Stanton home. Lucy was the apple



BISHOP AND MRS. PHILANDER CHASE.

of her father's eye. Years afterward he said the "happiest hours of his life were passed in the little brick house on Third Street, holding Lucy on his knee while Mary prepared the meals."

During the year 1841 he astonished the profession by clearing John Gaddis, who was charged with uxoricide. Mrs. Gaddis was found mortally wounded from the blows of a jagged brick. Although horribly mangled, she is said to have rallied sufficiently to say that the wounds were made by her husband. Gaddis employed Stanton to defend him. Having no money he contracted to deed over his home in lieu of a cash fee. The trial came on and, greatly to the surprise of the community, resulted in acquittal. Having regained his freedom, Gaddis demurred to the terms made for his defense, observing that he might as well have been hanged as "deprived of his property and left to starve." "You deserve to starve, since I have saved you from hanging, for you are guilty," retorted Stanton, and retained the property, which he sold for five hundred dollars.

In December, 1841, he was elected delegate to the Democratic State convention to be held at Columbus on January 7, 1842, and attended, serving on the committee on platform and to prepare an "address to the people," writing the resolution on banks.*

On March 7, 1842, the legislature of Ohio elected him to be "Reporter for the supreme court in banc for the term of three years," and, with the help of his students, he reported and edited volumes XI., XII., and XIII.; compensation three hundred dollars per annum.

In April, 1842, although a Democrat, he went over into Virginia to aid his brother Darwin to secure the nomination for the House of Delegates on the Whig ticket; also took part in the campaign which resulted in his brother's election in a district which was Democratic. The next spring Darwin was the Democratic nominee for the same office, and with his brother's help was elected.

To Stanton, blood was thicker than politics, if not thicker than water.

*RESOLVED, That the true policy of the United States is to collect no revenue whatsoever beyond the sum actually necessary to conduct, upon principles of strict economy, the legitimate concerns of the general Government; that this collection shall be made no further than the public welfare demands, and, when collected, the money shall remain in the Treasury without being loaned, speculated upon, used or employed in banking, until paid to the public creditors. We, therefore, regard the repeal of the Act establishing an Independent Treasury, as an error in principle which should be disapproved by all parties.

CHAPTER VII.

DEATH OF HIS IDOLS.

In the meantime Stanton had received his first taste of real sorrow in the death of his darling Lucy. "My friend Stanton," says W. S. Buchanan,* "idolized Lucy. After she had been buried about a year he exhumed the tiny remains, placed the ashes in a metal box made for the purpose, and had a brazier (Samuel Wilson of Steubenville) solder it up. This precious box he kept in his own room; but when his wife died a year later, it was buried by her side—both in the same grave."

August 11, 1842, brought a son—a bright, healthy, and active child, which was christened Edwin Lamson Stanton, and again Stanton was happy.

For the third time in succession he represented his district in the Democratic State convention, which met at Columbus on January 8, 1844, to open the presidential campaign. He was again a member of the committee on platform and "address to the people," and on the committee to select presidential electors and delegates to the national convention.

Being present solely in the interest of Martin Van Buren, the personal friend of his partner (Judge Tappan), he subordinated everything to securing "sure" Van Buren delegates to the national convention, and succeeded. He drafted the resolution on banks†

*First a student and then a partner in Stanton's office.

†RESOLVED, That the power to incorporate a bank is not one of the powers granted to the Federal Government by the constitution; that such an institution is neither "necessary" nor "proper," within the meaning of the constitution, to carry into effect any powers granted, nor is it incidental to any of them; that it was the design of the framers of the constitution to create a Government which should avoid the evils of a system of Government paper money, by denying it the right to create a paper currency; that we regard the chartering of a bank by Congress not only as a direct assumption of power not authorized by the constitution, but as an infringe-

and that on the tariff, but did not participate in composing the "address to the people," which, like previous Ohio Democratic enunciations, declared practically for free trade, and which, he said, was "absurd and a tendency toward direct taxation, and direct taxation would break any party bringing it about."

By far the sorest affliction of his life came a few weeks later in the sudden death in child-birth of his wife Mary, on March 13, 1844. He had sold his dwelling on Third Street and leased for a long term of years and moved into the largest and finest house in the city—the new Andrews residence. He had an increasing business, an expanding reputation, and great prosperity, and was full of life and hope.

"Although not thirty when Mary died, Stanton was king of Steubenville," says the Reverend Joseph Buchanan; "acknowledged to have the best and most lucrative practise in the locality. Being thus buoyant and satisfied, the death of his wife seemed particularly unexpected and hard to bear. In fact it rendered him thoroughly irresponsible. He threw her wedding rings and other jewels into the coffin and wanted her letters buried with her, too. My mother removed them repeatedly, only to find them again returned to the casket. She was unable to pacify him, and it was only by exercising good judgment that she finally prevented the burial of Mary's valuable rings and trinkets."

Ann Elliot, a seamstress, made Mrs. Stanton's grave clothes, and was compelled to alter the garments several times to suit Stanton. "He wanted his wife to look," said Miss Elliot, "when dressed for the grave, just as she did seven years before at the marriage altar. 'She is my bride and shall be dressed and buried like a bride,' said he, as he sat by her side moaning and weeping."

"I can hardly speak adequately of the death of Mary," says William Stanton Buchanan, "which occurred two days before the meeting of the March term of the supreme court. As Stanton was engaged in every case, no court was held in Jefferson County for that term. He could not work and could not be consoled. He walked the floor incessantly, crying and moaning. At night he placed her night-cap and gown on his pillow and cried and cried for his dear Mary. After her burial he himself put white stones around

ment on the right of the States, dangerous to the just independence and integrity of the Government, and fraught with perils to the rights and liberties of the people.

the grave, and visited it every morning early to see if a single one had been removed and also to place flowers upon his beloved one's breast. He not only did this, but for some days sent his gardener, Alfred Taylor, to guard like a soldier the resting-place of his idolized wife."

"For years, when at home, Stanton went regularly twice a week to decorate Mary's grave, and," says Alfred Taylor, "on Sundays went alone to meet her." At the head of her grave he planted a sprig of weeping willow which a friend brought from Napoleon's burial place on St. Helena.*

Mary's death wrought a complete change in his manner and thought. "Where formerly he met everybody with hearty and cheerful greeting," says Mrs. Davison Filson of Steubenville, "he now moved about in silence and gloom, with head bowed and hands clasped behind." He kept aloof from public and social gatherings, but gave enlarged attention to religious matters.

Before her death, when mounting his carriage on Sunday to drive to Cadiz, Carrollton, or New Lisbon, in order to be present at the opening of court on Monday morning, Mary generally slipped a letter into his hand to be opened and read on the road, containing besides her expressions of regard and affection, gentle but earnest arguments and protests against traveling to court on the Sabbath Day. He really wanted to please her, but was more than full of business—earning money for her, as he explained by way of justification—and felt compelled to travel on Sunday when it was necessary to appear in court away from home on Monday morning. After Mary's death these letters produced a strong effect on Stanton, which lasted, in a modified degree, to the end of his life.

History affords no example of more passionate and lasting marital affection. Stanton and his wife were totally unlike, yet they lived wholly for each other; and if the husband transgressed at all, it was "for Mary." He worshipped her till the day of his death, shortly before which, the last time he was in Steubenville (September, 1868), he spent an evening hour alone at her grave. He was like Burns, who married and reared a family but never ceased to

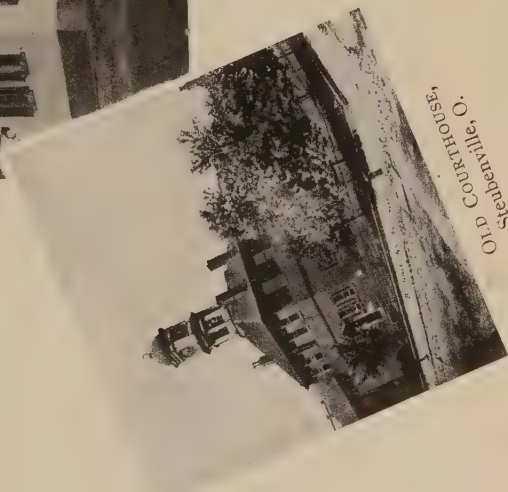
*"On a lone, barren isle, where the wide-rolling billow
Assails the stern rocks and the loud tempests rave,
A hero lies still, whilst a low-drooping willow,
Like some fond, weeping mourner, leans over his grave."



STANTON'S HOME,
Cadiz, O.



STANTON'S HOME,
Steubenville, O.



OLD COURTHOUSE,
Steubenville, O.

mourn for his Highland Mary, taken from him in his youth:

Still o'er those scenes my mem'ry wakes,
And fondly broods with miser care!
Time but th' impression stronger makes,
As streams their channels deeper wear.

CHAPTER VIII.

GREAT CASES—A TRAGEDY.

Martin Van Buren, his favorite candidate, having been defeated in convention by James K. Polk, and being in deep distress over the death of his wife, Stanton took little part in the presidential campaign of 1844; he simply buried himself in the law. The following year was also devoted exclusively to his clients. The partnership between Tappan and Stanton was succeeded by that of Stanton and McCook; and there were Stanton and Peppard at Cadiz; Umbstaetter, Stanton, and Wallace at New Lisbon; special partners at other points, like Daniel Peck at St. Clairsville, E. R. Eckley at Carrollton, Joseph ("Percent.") Sharon in Harrison, Judge Charles Shaler at Pittsburg, and others at Salem, Wheeling, and New Philadelphia. Generally, local contests were left in charge of local partners, while appealed cases and practise in the State supreme and federal courts received his personal attention.

The final re-trial of the great case of John Moore *vs.* Gano, Thoms, and Talbot, came on during the March term in 1845. It was the end of the tug of war in the greatest of Stanton's early legal battles—a struggle which lasted about ten years. In 1835 William Talbot, William Thoms, and Aaron G. Gano formed a partnership for the purpose of "cornering" the pork and lard market. To carry on their enormous transactions resort was had to extensive borrowing. After the panic of 1837 the business became disastrous, a single loss to one of the partners reaching one hundred thousand dollars. In 1838 John Moore, a creditor, secured judgment for twenty-three thousand dollars against William Talbot, a member of the firm, who was unable to pay but who was the only one on whom summons was served. In 1839 suit was brought to subject Gano and Thoms, the wealthy partners, to the judgment, which was defeated. Following this result, Stanton must secure a new trial or be permanently routed. After exhaustive research, at the December term, 1843, before the court in banc, he made his famous argument for a new

trial, which was granted. He then began laying plans for success. "I must succeed," he said, "or my client will be ruined."

The efforts made to carry out his purpose are astounding. He traveled to Indiana, Illinois, Missouri, Kentucky, Louisiana, Philadelphia, Cincinnati, and elsewhere gathering facts. When he came into court, he had so thoroughly sifted, digested, and weighed every item of evidence on both sides and was so completely familiar with the whole range of the firm's transactions that the opposing attorneys were completely over-matched and Court and jury instinctively looked to him for information. He prepared and had in court several manuscript books to cover everything known about the case. One book contained all the financial transactions, itemized and analyzed; another all the correspondence of the firm and its members, conveniently briefed; another a list of all the purchases; another all of the sales; another all of the credits; another all of the profits and losses; another a digested abstract of testimony in previous trials; another the laws and decisions applicable to controverted points; another a "course of argument" for the jury; and still another a "line of argument" for the Court.

Says John McCracken of Steubenville:

Stanton had about staked his life on winning. He argued part of one day and all of the next. Before noon he had torn off his cravat and opened the collar of his shirt, for he always feared apoplexy. As night drew on I thought he would drop dead. He was black in the face. In the evening the case went to the jury. Stanton left the chamber and all night he and I walked up and down in front of the court-house, discussing the trial and waiting for a verdict. Finally, at sunrise, the jury brought in a verdict for Stanton, and his rejoicing was ten times greater than that of the client he had saved from ruin.

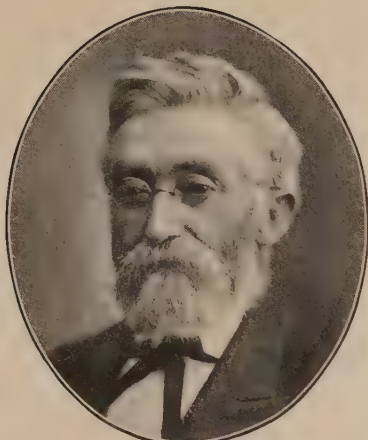
Although more than half a century has elapsed, the "Pork Case" is still one of the notable things talked about in and around Steubenville whenever Stanton is under discussion. In one way or another, for more than ten years, its principals were valuable clients. What is said to be Stanton's first clean fee of five thousand dollars came from one of the complainants, Mordecai Moore, who borrowed ten thousand dollars from the United States Bank of Pittsburg, chartered by the legislature of Pennsylvania after the expiration of the charter of the United States bank. As security for payment, he executed a mortgage on his farm in Ohio. When the note matured the bank undertook to foreclose the mortgage, and Stanton for de-

fense declared that the bank was a State institution and had no right to take liens upon land outside of Pennsylvania. The Court sustained the defense, and Moore paid Stanton five thousand dollars for the victory.

In 1845 Caleb J. McNulty of Mt. Vernon, Ohio, clerk of the House of Representatives at Washington, was alleged to be a defaulter to the extent of forty-four thousand, five hundred dollars. He was dismissed by unanimous vote of the House, and indicted for embezzlement in the District of Columbia. United States Senator Benjamin Tappan, Stanton's partner, was one of the bondsmen for McNulty, who, at the opening of the session, had made Stanton's brother Darwin his assistant. That McNulty was in default was not denied, and Democratic journals loudly demanded his punishment and full restitution to the Federal treasury by his bondsmen and political backers, in order to save the party honor untarnished.

Oblivious of public clamor, Stanton took the case, determined to clear his client and discharge the liability of his old friend Tappan; and by the interposition of many technical and legal points brought out unexpectedly and pressed upon the Court with swiftness and vigor, he induced Judge Crawford to dismiss further proceedings under the indictment. His manifestation of ability and energy, coupled with boldness and readiness to meet and upset unexpected points in the case, attracted attention and admiration in Washington, where he was a new figure. His style was fresh and full of originality and power, and captivated court, spectators, and newspapers. He left the capital on his birth-day—the day of victory—at the age of thirty-one with the reputation of a master jurist, which was, above all things, the result he was seeking.

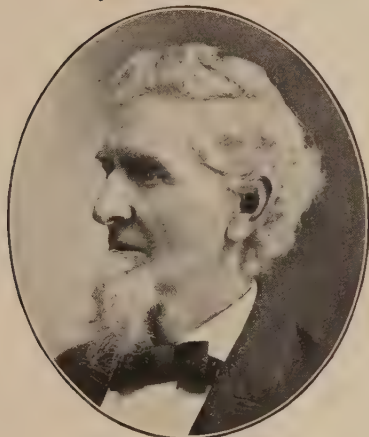
The year 1846 was more eventful. At a mass meeting held on June 9, Stanton presented resolutions endorsing the Mexican war and reciting reasons why the people should stand by the administration in its prosecution. The community was not a unit on the subject, but the "Steubenville Greys," a military organization comprising the leading young men of the city and commanded by his partner, George W. McCook, voted to tender their services to the Government. The tender was accepted, and before the young soldiers left for the front, Stanton drew wills for them, or gave advice as to arranging their personal affairs for the contingency of death. He himself had proposed to accompany them, or raise another body of volunteers, but was advised by Dr. Tappan that he



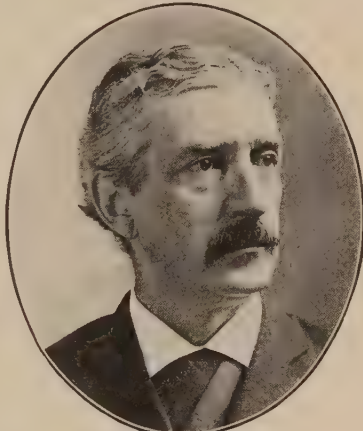
JOHN MULLEN.



MRS. HETTY BEATTY.



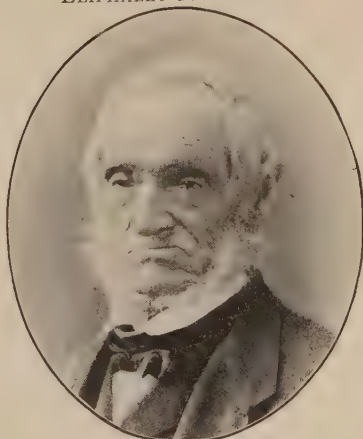
DAVISON FILSON.



ELIPHALET F. ANDREWS.



ALFRED TAYLOR.



JAMES TURNBULL.

would not be accepted by the army surgeon because of the severity and frequency of his asthmatic attacks. Subsequent events proved that it was well that he remained at home.

In August, 1846, his brother, Dr. Darwin E. Stanton, assistant clerk of the House of Representatives, returned from Washington to his home in Virginia, across the river from Steubenville, ill of fever. The attack increased in severity until, the patient's reason having become unsettled, he secured one of his own lances and severed the femoral artery. "He bled to death in a few moments, in the presence of his mother," says Alfred Taylor. "Neighbors came in and I sent William Inglebright over the river to Steubenville to carry the news. Edwin M. Stanton came over at once, but on seeing how terrible the happening was, lost self-control and wandered off into the woods without his hat or coat. John Knox, assisted by William Brown* brought him back and Dr. Sinclair, fearing a second suicide, ordered Knox and Samuel Filson to watch him every moment."

As Darwin left no unencumbered estate, Stanton gathered the stricken widow and her three children into his own house in Steubenville, where they shared equally with his mother and son the generous provision he loved to make for those around him.

*William Brown, one of Stanton's cronies, a resident of Holiday's Cove, says: "I was not present at the death of Darwin, but I chased and caught his brother Edwin, who, insane over the event, was running about in the woods."

CHAPTER IX.

STEUBENVILLE ANECDOTES AND REMINISCENCES.

Stanton's practise being now almost exclusively in the higher courts of Ohio, Pennsylvania, and Virginia, he was compelled to seek a larger base from which to carry it on. Therefore, in 1847, he established headquarters in Pittsburg. Before following him thither some further reminiscences of him at home will be given.

At the first meeting of the Steubenville city council, in January, 1847, an ordinance was adopted creating the office of city solicitor, and Stanton was next moment unanimously elected to the position. The city was infested with a rough and dangerous element from the Ohio River, and petty crimes were numerous. The public rose up and invoked his aid in quelling the disorder. He responded effectually. At the first trial of delinquents after his appointment, there was a great gathering of malefactors in court. With a rasping hiss, waving his hand over the noisome crowd, he called them the "rats of Steubenville," and declared that he intended to "trap and exterminate them all." The name of "rats" clung to them for years; but Stanton soon drove them to their lairs and brought the city back to comparative security.

On March 8, 1847, he was elected a director of the Fire Department and, dressed in the regulation belt and blouse of a fireman, rode a fine horse at the head of the annual procession, as marshal of the day. In June, 1847, he made the address of welcome to Captain McCook's "Steubenville Greys" on their return from the Mexican war.

The Reverend Samuel Longden of Greencastle, Indiana, relates the following:

A young man named Burney, who was a member of my church, employed Mr. Stanton to bring suit against Dr. Barnes, for malpractise. The case primarily was that of luxation of the knee-joint backwards. The surgeon treated the young man for fracture of the tibia, and continued the mistreatment until the patient was crippled for life. When the trial came on Mr. Stanton had in court the bones of the human leg, in normal and

many abnormal conditions. He had spent several days in the office of Dr. Thomas Cummings studying fractures, dislocations, and general surgery, and was able to put the expert witnesses all to rout. He was clear, masterful, and convincing. The jury believed him implicitly, for he was an honest man. In my long career I have never heard from the rostrum, the pulpit, or the bar such absolutely convincing argument and forcible oratory as I heard from Edwin M. Stanton before he was thirty years of age. They tell me that in court, warring for his clients, he was sometimes like an iron avalanche; but I must aver that in society he was as sweet and gracious and altogether as attractive as any man I ever met, and a good man, too.

Dr. B. Mears, a physician of Steubenville, reported that he had delivered Rectina McKinley, spinster, of a child. Stanton, in her behalf, brought suit against the doctor for slander, recovering one thousand dollars damages. Shortly after the money was due on execution, but previous to its payment, William Ralston, a thrifty bachelor, married Miss McKinley. After the marriage, Ralston called upon Stanton.

"Well, Billy," said Stanton, who knew him well, "you married Rectina and you have a good wife."

"Yes, I believe I have; and I am calling to see if you have collected the Mears claim."

"Yes, Billy, it's all paid in. You now have a good wife. I have proved to the world that she is without a blemish. I charged only one thousand dollars for sending her out of court with a good character. A judgment of one thousand dollars as a bait to catch a good husband, such as I believe you to be, is cheap, cheap as dirt." So he kept the one thousand dollars, but Ralston, after that, never was friendly to lawyers.

Valentine Owesney, a provision merchant of Steubenville, was robbed of about five hundred dollars in cash. A certain character was suspected, arrested, and put upon trial. He was defended by Stanton and acquitted, and immediately afterward disappeared. Shortly after his disappearance, Stanton walked into Owesney's store and, throwing down three hundred dollars in cash, observed that now he had paid what he had been owing. Owesney, an honest German, was nonplussed, for Stanton owed him nothing, and inquired the meaning of the performance. Stanton explained that the man arrested for robbing the store and acquitted was really guilty. "I cleared him," said he, "got back the money and sent him out of the country. I gave him fifty dollars to travel on; about one hun-

dred dollars was used in the expense of the trial; I have kept fifty dollars for my fee and here is the remainder, which is your share."

The Reverend James L. Vallandigham of Newark, Delaware, who was practising law at New Lisbon, Ohio, when Stanton was admitted to the bar, says:

A controversy that gained much fame for Stanton arose from the effort of disaffected members of the Economy Society of Beaver County, Pennsylvania, to dissolve and wind up the association. He appeared for the insurgent members and at the lower trials, by his matchless skill as a lawyer and profound exposition of the true economics of industrial and religious life, won successive verdicts. His knowledge of religion and the Bible was so great that the elders of the Economy Society believed he was, or had been, a regularly ordained minister of the gospel.

Joseph M. Rickey of Cleveland, Ohio, contributes the following:

Mr. Stanton and Roderick S. Moodey, an attorney of distinguished ability, conducted a trial in the old court-house when I was deputy clerk. Moodey, after examining a witness, turned him over to Stanton, who opened on him a raking fire of questions. Moodey, in sympathy for the wounded feelings of his witness, turned to Stanton and remonstrated. Stanton, in a guttural tone, ordered Moodey to make his appeal to the Court and "quit whining." Moodey retorted: "I don't think a whine is any worse than a bark"—giving peculiar emphasis to the word "bark" in imitation of the bull-dog voice of Stanton. Quickly and imperiously Stanton replied: "Oh, yes, Mr. Moodey, there is a difference—dogs bark and puppies whine." Moodey was bursting with rage. The court, seeing the rising storm, adjourned. Moodey returned during the recess and paced the corridors. As soon as Stanton and his partner McCook appeared, arm-in-arm, Moodey flung his coat, and pounced onto Stanton with the fury of a panther. Spectacles, papers, and hat flew in all directions. In a moment the stalwart McCook snatched Moodey away and by-standers gathered up Stanton's scattered things. When court was called the case proceeded as if nothing had occurred. Stanton and Moodey soon became friends* and their intimacy grew warmer as they advanced in life.

During the winter of 1847, the community was pretty thoroughly stirred up over the performance of a traveling mesmerist named Wilson, who claimed to have supernatural powers, and Stanton was angry to think his townspeople could be gulled by such a mountebank. To prove the fraud, and that mesmerism or animal magnetism (now called hypnotism) was a common gift, differing in degree only as physical or mental strength differs in different

*When, in 1863, a law was enacted authorizing Stanton to appoint a solicitor of the War Department, he offered the position to Moodey.

persons, he gave a public exhibition, at which the people attended without price.

"I was present in a front seat," says Mrs. Davison Filson of Steubenville. "Calling for volunteer subjects, he put many 'to sleep' as it was called, and controlled them, bringing them out at will. One night, however, in Stier's Hall, he went too far in mesmerizing a man named Taylor, an employe of the paper mill. After controlling the subject for a time he failed to bring the usual return to consciousness. Repeated efforts resulted similarly, and the audience became frightened. However, after great exertion, Mr. Stanton succeeded in bringing the subject back to life, and that ended public exhibitions of mesmerism in Steubenville. It also exploded the idea that the stranger was a supernatural being—had 'help from on high'—and the people spent no more money on him."

Between Stanton's residence and the river stood a large factory for the production of glass. The soot, smoke, and cinders from its furnaces constituted an especial nuisance. Therefore, in 1847, he purchased the factory and the considerable tract of land on which it stood, and, after dismantling the works, built in its stead a house for his gardener, Alfred Taylor. Around the house he planted fruit and other trees, and laid out the finest garden ever seen in Steubenville. To this tract the Stantons gave the name of "The Patch." Although now subdivided by streets and alleys—one of which is Stanton Street—and covered with houses, that section of the city is still popularly described as "Stanton's Patch."

"The glass-house land was very rich and produced abundantly," says Alfred Taylor. "I not only had enough vegetables and fruits from it for Mr. Stanton's large household, but much to sell. I produced there the first celery ever raised in Steubenville, and had also many novel plants and herbs. The fruit trees and vines comprised apples, peaches, quinces, plums, cherries, currants, pears, and grapes. The production of grapes was heavy, and sometimes we had hundreds of bushels of peaches beyond family requirements, for sale. They always brought a high price. Mr. Stanton had great pride in his garden. He loved a good table and wanted to produce as many of the luxuries as possible on his own land—not to save money, for he was earning large sums, but to secure a quality higher than that of any we could buy."

Besides his fruit trees, greenhouse, and a garden, he had a few high-grade young cattle which were a source of much satisfaction.

He often went to fondle them; and when the men were making hay, was delighted, toward evening, to help them "pitch on." Having a frame of great power, although unaccustomed to labor of that kind, he could lift a larger rick of hay than any of his men.

"Once, while pitching to the wagon," says Alfred Taylor, "Mr. Stanton broke a new white-ash fork's tail in an attempt to show how big a load he could lift. The tines of that fork I am using on my farm near Holiday's Cove, West Virginia. He loved, on arriving from Pittsburg and elsewhere, to come to the stable where we were milking and, seated on a hand-made milking-stool, talk about the stock and home affairs. The old stool is still in use in my stable."

John Mullen of Columbus, Ohio, for years a tutor of dancing and music in Steubenville, was first an errand and house-boy and then hostler for Stanton. His recollections give a peculiarly interesting inside view of Stanton's life in Steubenville:

I came to Mr. Stanton early in 1847. I had lost my mother and in the fall father followed her. My heart was broken entirely. I had a sister, but she was young like myself, and what could we do alone in a strange country? I was moaning and crying when Mr. Stanton came to me and wiping away the tears with his soft silk handkerchief, said, oh, so kindly: "Never mind, Johnnie; I will be your father. You can live with me. I will care for and clothe you; send you to college and build a house for your sister." So I was comforted, for no one could have been more kind and loving than he was to me.

After the middle of 1847 Mr. Stanton spent only a portion of his time in Steubenville, but he kept his house and yard up beautifully, and as long as he lived called it home. In the yard were roses and many kinds of flowers which he loved, and the finest lawn ever seen in town. He said, "Always keep mother in money; give her what she wants." When we fell short of money during Mr. Stanton's absence I went to Colonel McCook and got more. No one about the house wanted for anything. In fact, the neighbors thought that the young children of Stanton's sister and sister-in-law, who lived with him, were too luxuriously provided for.

With himself Mr. Stanton was not so liberal. He smoked cigars and wore very good clothes, but had no other personal extravagances. His habits were of the very best. He had no wine on the table; did not keep it in the house. He belonged to no gay clubs and gave no time to pleasure. His clothing was always of very fine material but modestly made up, and in winter and on chilly evenings he wore a heavy military cloak. He was a princely-looking man, with dark, silken, flowing beard; very polite though reserved.

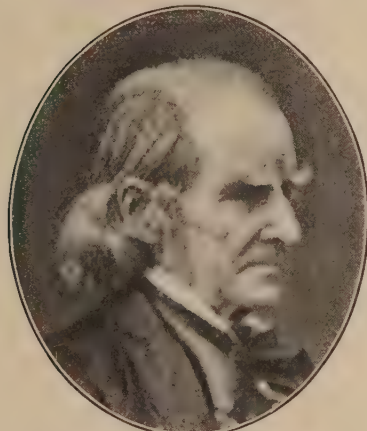
Sometimes, but not often, he drove out with his mother and sister and sister-in-law and the children; but generally Alfred Taylor was the family driver. The carriage was a large covered double-seated rig, and the



THEOBALD UMBSTAETTER.



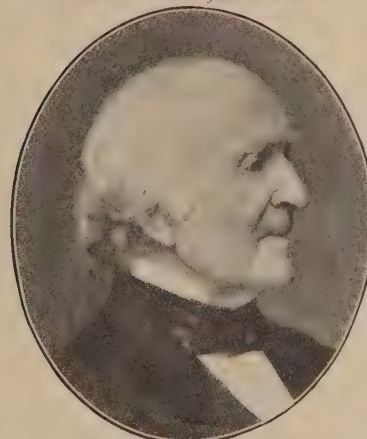
GEORGE W. MCCOOK.



U. S. SENATOR BENJAMIN TAPPAN.



S. G. PEPPARD.



CHAUNCEY DEWEY.



WILLIAM STANTON BUCHANAN.

STANTON'S LAW PARTNERS.

horses the finest he could buy. He loved a good horse.

On returning home after considerable absences, Mr. Stanton invariably brought presents for all, including the servants. He never came to Steubenville without visiting the grave of his wife. When at home for any length of time he went twice weekly to her resting-place. I often accompanied him, to trim the grass and cultivate the flowers. He wept and was very sad at these times, and his mind seemed to slip way back into the past. His grief made such an impression on me that I thought he would never marry again and that I, who loved him so well, ought never to marry at all, and I have kept the faith.

Mr. Stanton was liberal not only to the great number in his house, but to the churches. He gave freely to all. I was a Catholic and he gave money to me to spend as my own for church purposes. I recollect that he entertained Archbishop Purcell of Cincinnati in his own home and always listened to the Archbishop's sermons in Steubenville. He liked Purcell because he had brains. He sought and cultivated smart men, and he loved little children.

I do not think he cared for women generally. He did not seem to know many of them and spent no time with those he did know. But he loved his son Eddie passionately. Often I have seen them walking about the yard, which was surrounded by a high, closed fence so as to keep the public out, clasped arm and arm about like two school girls. He mourned deeply over the loss of an eye* by his son Eddie, and was ever warning the lad to be careful of his health.

In the summer of 1848 I took the horses and carriage over to Pittsburgh—a very long, rough drive. On arriving I went for my meal to the St. Charles Hotel, where Mr. Stanton boarded. I was very hungry, but as I did not know how to order from a fancy French bill-of-fare, and was too much scared by the splendor of the surroundings to ask questions, I had nothing to eat except a glass of water and a couple of crackers that happened to be left near my plate. As I came out of the grand dining-hall Mr. Stanton noticed that I looked crestfallen and asked me if I had a good meal. I told him the truth. He enjoyed the joke but promptly took me to a fine restaurant and, ordering a heavy meal for me, told the waiter to see that I made no mistake this time. When I saw him pay a dollar for it I was astonished, truly. I wrote back to my friends in Ireland that in America a snug little hostler like myself, when away on a journey, could have grand dinners in gilded dining-halls at the master's expense of a dollar each, and everybody should make haste to come over.

As to work, Samson could not outdo him. Frequently, at 10 or 11 at night I have taken the cart and gone with him to the office to fetch a load of law books to the house, and whenever I did that, I do not believe he slept a wink but plowed and studied and thought and walked up and down the room all night.

* "Destroyed when small," W. S. Buchanan says, "by a penknife which Stanton threw into the fire during his first distress over the painful accident."

I can remember but little about his law practise except that he was going all the time and that it was important and profitable. Once, while I was in the office, a farmer for whom he won a suit involving perhaps \$20,000, came in. "What is your bill?" inquired the man. "One thousand dollars," replied Mr. Stanton. The man was speechless, for he had brought in a little jag of farm truck to sell to pay the bill. He walked back and forth with his head down for some time without saying a word. Finally, he exclaimed: "One thousand dollars!" "Yes," said Mr. Stanton; "do you think I would argue the wrong side for you for less?"

He was the best and kindest friend I ever had and the best man who ever lived in Steubenville. If every person, living and dead, who was ever aided and befriended, or defended without fee by Mr. Stanton, were to rise up and make a procession in his honor, it would be long indeed, and the character of those in it would astonish the world. God bless him, God bless him forever!

CHAPTER X.

IN PITTSBURG—WHEELING BRIDGE CASE.

Having arranged a partnership with Charles Shaler in the thriving city of Pittsburg, Stanton began, about the middle of 1847 to devote much of his time to his Eastern business. He was admitted to the bar of Allegheny County on October 30, 1847, and the firm opened offices on the ground floor of their own building on Fourth Avenue, near Wood Street. His qualities were already known in Pittsburg, and he sprang at once into a lucrative practise. However, appearing for the so-called "Cotton Kings" in the litigation which grew out of the famous ten-hour law of 1848, he earned a large share of momentary hatred. The principal employers of Pittsburg, many of whom were his clients, were arrayed against the act, while the Pittsburg *Post* was aggressive in sustaining it and denouncing the "Cotton Kings." Stanton, in order to counteract the influence of the *Post*, wrote a series of opposing articles which were published anonymously in the *Commercial Journal*. At last, in July, 1848, the trouble culminated in a riot and then went into the courts.

During the trial he took exceptions to the ruling of the Court and presented a charge to be given to the jury. The judge silently read the instructions and looked inquiringly over the paper at Stanton, who exclaimed: "I demand that those instructions be read to the jury." The Court withdrew the instructions already given, ordered the jury to be kept together until morning and then instructed them according to Stanton's request. His bold and decided manner had its effect; but many marveled that the judge did not fine him for contempt.

In 1848 he actively supported Martin Van Buren, the Free-Soil candidate for president, as against Lewis Cass, the regular Democratic nominee, whose bank notions he abhorred. As his large and wealthy clientage was almost unanimously Whig, he was charged with really working and voting for Taylor* although pretending to

*Says Lecky Harper, at that time editor of the Pittsburg *Post*, organ of

support Van Buren. While the campaign was at its height, he addressed a Van Buren meeting in Steubenville. The Democracy came out in full force to hear what he had to say. His arraignment of Cass and the Democratic platform was relentless. The old-line Democrats in the audience, exasperated at the change in their dashing leader of 1840, withdrew and held an indignation meeting on the court-house steps, at which Stanton was roundly denounced. Instead of being disconcerted, he was rendered more vehement by this demonstration, and poured a scathing fire upon the leaders of the local Democracy, and had the satisfaction, a few days later, of seeing Cass defeated.

The firm of Shaler and Stanton had not been long in business before the necessity of a trained and careful office lawyer developed. "As neither Shaler nor Stanton had an aptitude for keeping accounts," says Robert T. Hunt, who was in their office for some years, "Theobald Umbstaetter, Stanton's Ohio partner, was brought to take care of the office business. Before that Shaler drew his checks and posted his share of the books in black while Stanton used red ink; and that is the way they kept track of things."

"Shaler and Stanton received great fees," says Major C. Shaler of Washington, D. C. "I remember that they received for just one opinion ten thousand dollars. They earned a great deal, but before the coming of Judge Umbstaetter, saved very little of it."

During July, 1849, Stanton began a suit which gave him lasting fame—that of "The State of Pennsylvania *vs.* the Wheeling and Belmont Bridge Company and others." The corporation named began the erection of a suspension bridge over the Ohio River at Wheeling, Virginia, in 1847. The structure, the longest of its kind in the world, the central span being one thousand feet in length, the cables of which were hauled over the great towers and from shore to shore by platoons of oxen, obstructed the navigation of the river. The chimneys of the larger packets were unable to pass under it.

the Democratic party: "Although known as a Democrat, I really never took serious stock in Mr. Stanton's Democracy. He was more of a student than a politician anyway; and after his professional reputation became strong, took no interest in partisan controversies, except as they involved his friends or clients. Law, law, law was his god, his mistress, and there he never ceased to worship. He always was opposed to slavery extension and to slavery itself, and I, who knew him all his life, never thought that he was ever really a Democrat, though at times an apparently vehement Democratic partisan."

Some of the owners and commanders of the two hundred and fifty packets then plying those waters were already Stanton's clients, and applied to him for relief. The questions involved were in many respects new and certainly important, affecting the enormous commerce of the river and the prosperity and development of numerous cities.

For some time he revolved the case in his mind, and while thus engaged, in order to strengthen the basis for what he at last proposed to do, boarded the steamer *Hibernia No. 2*, with numerous competent witnesses, and ordered the commander to proceed down the river. He well knew that the steamer—one of the finest and costliest on the Ohio—could not pass under the bridge, nevertheless he commanded Captain Charles W. Batcheler* to proceed at full speed in the usual channel between the piers. The tall chimneys, extending nearly eighty feet above the water, were carried away, and the upper works of the packet demolished—as expected. Thus reinforced, he began suit against the stockholders of the bridge company for damages and secured the consent of Pennsylvania to employ her sovereignty in a suit to abate the bridge as a public nuisance—a bar, hindrance, and obstruction to free commerce between the several States on navigable water and a damage to the general welfare.

On July 20, 1849, Associate-Justice Grier, of the United States Supreme Court, referred a motion for an alternative writ to compel the bridge company to abate their structure or show cause why it should not be abated as a public nuisance, to the full bench to be heard at the ensuing December term. Stanton was elated, brother

*Says Captain Batcheler: "Often Stanton came on board my boat and went to Wheeling to witness the entire operation of making the journey, lowering the chimneys, etc. River boats were then, as they have been ever since, annoyed by the collection of wharfage at all the towns along the river; and frequently the wharfage was more than the business for which the boats landed. On one of his trips he said: 'Charlie, why don't you quit paying wharfage at these places? They have no right to collect it. If the boats will give me two thousand dollars I will agree to rid them of that wharfage.' The result was that we quit paying wharfage at Wellsville, and they sued us. Stanton filed an answer contending that the collection of wharfage from a boat passing from one State into another was a tax upon commerce between the States and a violation of the constitution. The authorities did not dare to contend against him, and our boats never afterwards paid wharfage at Wellsville."

attorneys having predicted that the motion would not be entertained.

While preparing for the hearing he made a scientific examination of combustion under all possible circumstances—with large and small furnaces; strong and light draft; wood and coal mixed and wood and coal alone for fuel and with high and low chimneys for each class of fuel, experimenting upon boats of different sizes and construction, always with witnesses on board in the persons of men of well-known reputation and skill in physical sciences. He also visited the towns along the Ohio and Mississippi Rivers, the commerce of which was in any way affected; gathered statistics of the volume and value of the inland commerce of the Mississippi Valley for thirty years, and collected a mass of documents showing the relative cost of railway and water transportation, so that he might conclusively prove the wide-spread injury inflicted by obstructing the free navigation of the Ohio River and its tributaries.

While interviewing pilots at the Pittsburg wharves, he fell into the hold of the *Isaac Newton*, and suffered a compound fracture of the knee, an injury which compelled him to walk with a hitch during the remainder of his life. He was taken to Steubenville on the next steamer and transferred to his house on a stretcher, where, under the care of Dr. Tappan, he lay practically helpless for weeks. Nevertheless, having attendants to handle books and documents, he continued to study and prepare his cases, attend to correspondence, and send out papers for service, so that the bridge suit suffered no delay. The Reverend George Buchanan, calling upon him at this time, found him propped up in bed, surrounded by law books and legal documents. "This is a lucky accident," observed Stanton to his pastor, "for I shall be a good lawyer by the time I get well."

Judge Benjamin Patton of Hicksville, Ohio, has several letters written while Stanton was thus confined, one of which is as follows:

Steubenville, Dec. 11, 1849.

Dear Sir:

Pain and the inconvenience of writing in the only position I am allowed to occupy (the broad of my back) have prevented my acknowledging your favor, and expressing how much your letter delighted me.

The pleasure of your society and the tokens of friendship and confidence I receive at your hands, are esteemed among the most valuable consequences of my residence at Pittsburg, to merit and retain which will always be an earnest desire in my heart.

I trust we shall be able to go East together, and we can be in Wash-

ington about the most interesting period of the season. I hope you keep Shaler [Stanton's partner] in good spirits. The old gentleman has a hard time with his partners, who seem to be perpetually getting him into some scrape or other.

As to the ladies to whom you so kindly offer to bear my messages, I do not know that I can do better than to give you *carte blanche*. As the present is the first period of leisure I have had for some years, it may be as well that I am not able to expose myself to the influence of their charms; but I will stand up to whatever you may say in that behalf, feeling assured that with you for my attorney I shall appear better than in person, and have a better plea entered than I could put in for myself.

Let me repeat my desire to hear often from you, and believe me to be,
Ever most faithfully your friend,

The Honorable B. Patton.

E. M. Stanton.

On February 25, 1850, he was admitted to the bar of the United States Supreme Court on motion of Reverdy Johnson and made his first argument in the bridge case before the full bench.

The owners of the bridge contended that the Court had no jurisdiction. Labored and exhaustive arguments followed, involving constitutional points and questions of practise in equity. Chief Justice Taney and Justices Wayne and Curtis personally thanked Stanton for the learning and acceptable array of new facts brought before them; and held that they had jurisdiction. The entire case was, on May 29, 1850, referred to Chancellor Walworth of New York. On February 6, 1851, he made a voluminous report, holding that the bridge was an unwarranted and unlawful obstruction to navigation, and that it must be either removed or raised so as to permit the free and usual passage of boats.

At the December term, 1851, the report was affirmed, after long argument, the Court holding that it had full jurisdiction, and in May, 1852, (Chief Justice Taney and Justice Daniel dissenting), rendered final judgment on the merits of the case in favor of Stanton with costs, requiring the bridge to be elevated to the height of one hundred and eleven feet level headway over the channel of the river, and "that the same shall be removed by the respondents, or so altered on or before the first day of February, 1853."

After the Supreme Court had assumed jurisdiction, but before it had entered this decree, Congress was appealed to by the bridge company for relief, which was granted in the form of an act passed August 31, 1852, declaring the Wheeling suspension bridge a post route and a lawful structure as it then stood, thus revising and annulling the solemn judgment of the highest court in the Republic!

The contest before Congress and its committees was conducted with great ability for several months. The majority report of the House Committee on Post Roads is said to have been prepared by Reverdy Johnson, and the "views of the minority," protesting against Congress reversing and annulling a judgment of the United States Supreme Court, was written by Stanton. The majority report took the ground that it was better to regulate the size of boats and the height of their chimneys and upper works than to regulate obstructions to national commerce upon navigable waters! Also that the "development of the wonderful power of steam" was reason for reversing the final judgments of the nation's highest court! Stanton's minority report declared that nothing but chaos could result from following such a precedent; that a reversal of the decree of the Supreme Court in one case in favor of a private corporation might be followed by others of like nature, and then the Government would be disrupted. In answer to the enunciation of the majority report that the "development of the mighty power of steam" was a sufficient warrant for Congress to step in and upset a formal judgment of the Supreme Court, he said that "if such a doctrine has been developed by the mighty power of steam, it were better that that power had remained unknown." The real point at issue throughout the case before Congress was whether the United States or a given one of the States was sovereign.

Beginning in 1816, charters for a bridge over the Ohio River at Wheeling had been granted by Ohio or Virginia or both, and many other charters for structures over that stream had been granted by Ohio, Kentucky, Indiana, and Illinois; but every one, including that under which the Wheeling bridge itself was erected, contained an express clause that nothing therein contained should be construed to authorize a structure which should "obstruct the free and common navigation of said stream." But the bridge was up and *did* "obstruct the free and common navigation" of the stream, so the legislature of Virginia passed another law—after the Federal court had assumed jurisdiction of the case—declaring that the "said wire suspension bridge erected across the Ohio River at Wheeling, as aforesaid, be and the same is declared to be of lawful height."

Thus, a structure erected in violation of the repeated statutes of Ohio, Kentucky, Indiana, Tennessee, Missouri, Illinois, and Virginia herself, and therefore unlawful, was declared, by a peculiar



E. N. DICKERSON.



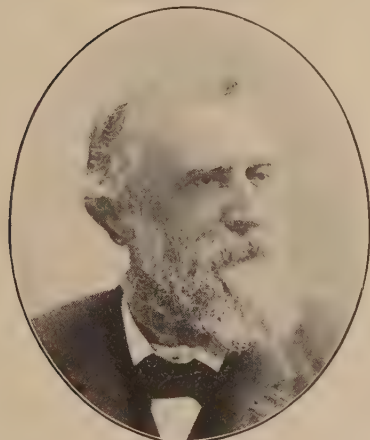
CYRUS H. MCCORMICK.



REVERDY JOHNSON.



GEORGE HARDING.



RALPH EMERSON.



JOHN H. MANNY.

enactment of Virginia in 1850—an *ex post facto* act—to be lawful! This act of 1850 was the base on which the majority of Congress, representing the State sovereignty theory, claimed to stand while overturning the judgment of the Supreme Court.

Against the notion that a State is greater than the United States, Stanton contended with abhorrence, saying that “to determine by peaceful judgment” whether the rights of and compacts between the States “had been violated or not, and to administer the proper remedy, was the main purpose of establishing the Supreme Court. No feature in our Government has more commended itself to the approval of mankind,” and “its decrees ought not to be violently reversed.”

But a majority of Congress was the other way of thinking; the bill passed and the bridge was allowed to stand and its successor* is standing at the original height, to this day, compelling all large boats passing under it to lower their chimneys.

Stanton, however, through his powerful efforts and immense learning, established a reputation that was ever after of value to him, as well as the right of Congress to regulate interstate commerce in every possible form. The theories of court jurisdiction and Federal sovereignty which he first enunciated in this case, are now cardinal principles of national law.

*While this great suit was pending a hurricane destroyed the Wheeling bridge. Calling the attention of the Court to this fact and asking for an injunction (which, in view of the action of Congress was denied) to prevent its reconstruction, Stanton observed cynically: “Your Honors can now see what Providence thinks of this bridge by what He has done to it!”

CHAPTER XI.

OTHER IMPORTANT LITIGATION—MEETS LINCOLN.

In early days the State of Pennsylvania built, owned, and managed canals, aqueducts, and railways. Out of this ownership grew litigation. The Pennsylvania Railway Company sued the Pennsylvania State canal commissioners to compel them to haul complainant's cars over and on the State road known as the Philadelphia and Columbia Railway. Stanton, for the commissioners, resisted the suit and was victorious before the supreme court, of which Jeremiah S. Black, who delivered the opinion (in December, 1852), was chief justice. Stanton's definition, during the trial of this case, of the rights and limitations of public corporations as the mere trustees of delegated portions of the general sovereignty, and his measurement of the undeveloped or reserved powers of the people to control corporations under a Republican form of government, caused Judge Black to describe him as the greatest lawyer of the time and, years afterward when a member of Buchanan's cabinet, to choose him to defend the Government in the famous California cases, referred to further on.

A case involving important and novel points, growing out of what was popularly known as the "Erie Railroad War," brought large fees and increased reputation to Stanton. That part of the present Lake Shore and Michigan Southern Railroad lying east of Erie, Pennsylvania, was in 1852 broad-gauge—6 feet—while that part extending west was the "Ohio gauge"—4 feet, 10 inches. The break where the lines met necessitated an annoying and costly transfer of passengers and freight. In the fall of 1853 the Erie and North-east Railroad determined to change its gauge to 4 feet and 10 inches, thereby making the gauge uniform from Cleveland to Buffalo.

The authorities of the city of Erie resisted the change and by ordinance declared that a railroad of any other gauge than six feet was a public nuisance and must be removed. In December, 1853, the railroad company changed the gauge as contemplated

and the city tore up the tracks and destroyed the bridges wherever they occupied public streets. The company relaid the tracks and the city again took them up. Thus commenced the "Erie Railroad War," which continued until 1856, the supreme court of Pennsylvania deciding against the railroad company and holding that its charter was forfeited to the State.

In pursuance of this decision the legislature passed an act declaring the railroad franchises forfeited and directing the governor to take charge of the lines in behalf of the State. This he attempted to do, but never secured possession of roads or rolling stock. Questions relating to agreements of the Pennsylvania roads with connecting lines in other States, contracts to carry United States mails, and the fact that the rolling stock used in Pennsylvania was owned in other States, were brought out skilfully by Stanton, and were found to be difficult to meet. He also prepared to apply to the Supreme Court of the United States for a writ to prevent the officials of Pennsylvania from executing laws "impairing the obligation of a contract." The State authorities could not resist such a process, and granted satisfactory new charters to the companies. Stanton thus gained a complete victory and a practical knowledge of railroads and railroad law that was of great value to himself and to the nation, while, subsequently, he was secretary of war.

Dr. Benjamin Tappan married Oella, Stanton's eldest sister, at Steubenville. He was a man of genius, widely traveled and well educated, but of some eccentricities. In 1854, these eccentricities not having disappeared, Mrs. Tappan felt compelled to apply for a divorce.

"Stanton had employed the brilliant Roderick S. Moodey to try the suit," says E. F. Andrews, instructor in the Corcoran Institute of Art at Washington, "he himself assisting as counsel advisory. Attorney-General Morton was counsel for the defendant, an excitable man and very quick—too quick this time. Stanton had previously told Moodey to ask him on the stand if his sister had not lost four of her front teeth. 'Yes, sir, she has,' hissed Stanton. 'Do you know how she lost them?' 'She once told me, sir, how she lost them. She——' Morton was on his feet in an instant protesting against heresay evidence, and succeeded in stopping the answer; but of course the impression, indelible, had been made on the jury that the doctor had knocked the four teeth out. The truth was, however, that she lost them in due course of nature. No ruling

could ever efface the impression made by this question and the suppression of the answer, and no one knew that fact better than Stanton. He also knew, as a lawyer, that Morton would stop the answer.

The suit ended in a decree of divorce and a judgment of fifty thousand dollars.

Late in 1854 Stanton was engaged to defend a suit that developed into a battle of giants. Cyrus H. McCormick, a Virginian, invented, patented, and built a machine for reaping grain which became a great success. He erected the first successful machine in a blacksmith shop on his father's plantation in Rockbridge County, Virginia, and operated it in the presence of many witnesses in the summer of 1831. About twenty years later John H. Manny of Wisconsin produced a successful apparatus for harvesting grain, and, having secured twenty-three letters-patent thereon, turned out four hundred machines. McCormick, in November, 1854, brought suit in the United States court to prevent the manufacture, sale, and use of the Manny reaper and mower as an infringement upon patents taken out by him in 1847. The first hearing was set for September, 1855, at Cincinnati.

The rich wheat empire of the West was developing apace; a horse-reaper was the most popular if not the most important invention of the day; the demand for reapers and mowers was unlimited, and, as there was a liberal profit in their manufacture, fortunes were at stake. Ralph Emerson of Rockford, a survivor of that memorable contest, furnishes some interesting facts concerning Stanton's connection with it, and throws new light upon the doings of Abraham Lincoln:

There were something over a dozen lawyers connected with the case. P. H. Watson of Washington, George Harding of Philadelphia, and Edwin M. Stanton of Pittsburg were the leading counsel on our side; and Reverdy Johnson and E. N. Dickerson on the other. As the case increased in importance we concluded to have three lawyers appear prominently in it, therefore retained Abraham Lincoln. Such a thing as paying a large retainer fee was, at that time, a strange thing in the West, and Mr. Lincoln said the fee (\$1,000) we paid him was the largest he ever received.

When the case came on for hearing at Cincinnati it was decided to have only two lawyers speak on a side; and Stanton and Harding, having devoted so much time to the matter, were selected, an arrangement in which Mr. Lincoln concurred. He remained, however, through the argument, which covered nearly two weeks.

Mr. Stanton devoted himself exclusively to the law and his argument excited the admiration of all who heard it. At times the Court regarded

him in amazement, so extraordinary were his memory and power of analysis. Mr. Lincoln (apparently forgetting the presence of the Court) stood throughout Stanton's entire argument, occasionally very near him, drinking in his words, and then walking back and forth in the back part of the room, closely observing the speaker all the time, wrapt in admiration. As Stanton closed and we left the room, Lincoln invited me to take a walk with him, which lasted some hours. After a considerable silence, he said: "Emerson, it would have been a great mistake if I had spoken in this case; I did not fully understand it."

Another long silence as we walked on, and again: "Emerson, I am going home to study—to study law. You know that for any rough-and-tumble case (and a pretty good one, too) I am enough for any man we have out in that country; but these college-trained men are coming West. They have had all the advantages of a life-long training in the law, plenty of time to study and everything, perhaps, to fit them. Soon they will be in Illinois, and I must meet them. I am just going home to study law, and when they appear I will be ready."

Stanton was present when we were consulting about the advisability of a compromise. It nettled him severely. "Will they yield all you want?" he asked. "No." "Then," he exclaimed, "I know but one way to compromise, and that is with sword in hand"—suiting the action to the word, raising his hand on high and shouting as though in battle—"to smite and keep smiting."

His lion-like advice prevailed and we never regretted it. The fees paid were very large for that time. I cannot give the amount. I think Mr. Stanton received \$10,000 and his expenses, but he earned the money.

Judges McLean and Drummond filed their decree in March, 1856, holding in favor of Stanton's clients. An appeal was taken by McCormick to the Supreme Court of the United States, and the case became an issue in politics (involving the appointment of a commissioner of patents) and a bone of contention in Congress. For several years the struggle continued a battle royal, nothing being left undone which the power of money and the genius of the ablest attorneys in the land could invent.

The case really turned on the priority of inventing the divider. No reaper, however perfect otherwise, could operate successfully without a divider at the outer end of the cutter-bar to separate the standing from the falling grain as the machine moved forward. Without that every machine became entangled and choked and a failure.

Colonel William P. Wood of Washington, an expert who made all of Manny's models, knew that fact. The Manny machine must have a divider curved outward, but that feature was covered by McCormick's patents. Wood went into Virginia and found (in the

possession of R. Sampson) an old McCormick reaper, made *prior* to the issuance of McCormick's patent on the divider. He purchased it and made its crooked divider rod straight; for a curved Manny divider would not be an infringement on a straight McCormick divider. Using salt and vinegar to rust over the fresh marks of the blacksmith who did the work, he shipped the doctored reaper to Washington to be used in court, and it won the case!

Wood says: "Stanton never knew how that old reaper which appeared in Washington with a straight divider had been doctored, but he knew beyond question that it would defeat McCormick, the real inventor of the successful reaping machine."

When the case came up for argument before the United States Supreme Court, in February, 1858, there were so many attorneys to speak that the time was divided by the Court in such a way that Stanton was given less than an hour. He had been speaking perhaps five minutes when the Court interrupted to inquire if the address was in writing. "It is not," replied Stanton.

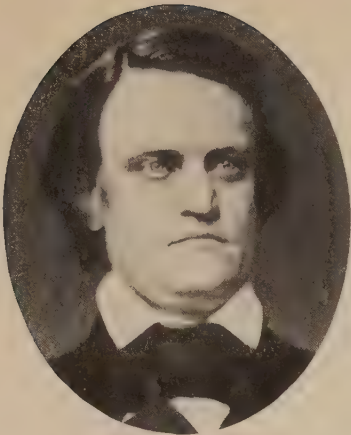
"That is to be regretted," answered Justice McLean, requesting a deputy marshal to procure the services of a phonographer at once "to take down Mr. Stanton's argument for the use of the Court."

As the only phonographic writers in Washington were engaged in taking the debates of Congress, the deputy returned without executing the judge's orders.

Twice as he was rushing on, Stanton leaned over and whispered to Mr. Watson. One of the justices inquired politely whether the orator was in distress. "I am only asking my associate, your Honors," responded Stanton, "how much more time I have." "Finish your argument in your own time," quickly interposed Chief Justice Taney, "regardless of the rules we have fixed,"—to which the associate justices nodded approval—an incident scarcely less noteworthy than that of Justice McLean leaving his seat to send for a phonographic reporter.

At the conclusion of the argument the case was taken under advisement and the large collection of models present moved over to chambers on Four-and-a-half Street, where the justices held their consultations and made up their judgments.* The decision of

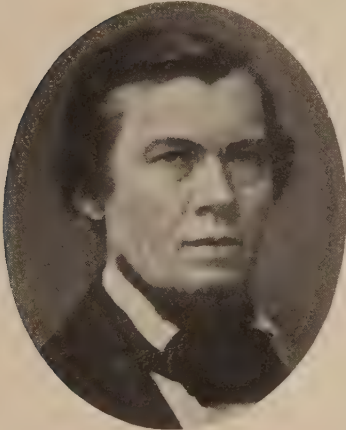
*Says Major A. E. H. Johnson, then Mr. Watson's associate: "When the beautiful models were moved over to chambers, Mr. Watson gave \$25 to the old colored janitor who had charge of the rooms and waited on the



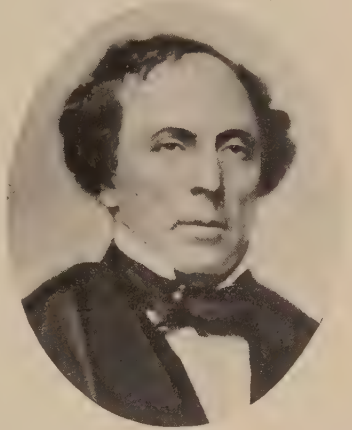
JOHN C. BRECKINRIDGE,
Vice-President.



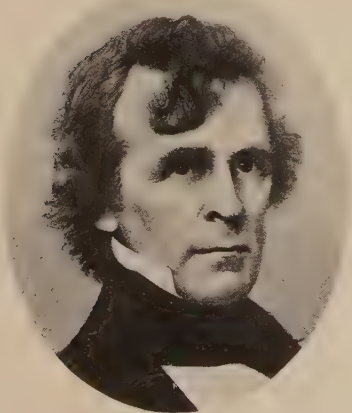
PHILIP F. THOMAS,
Secretary of the Treasury.



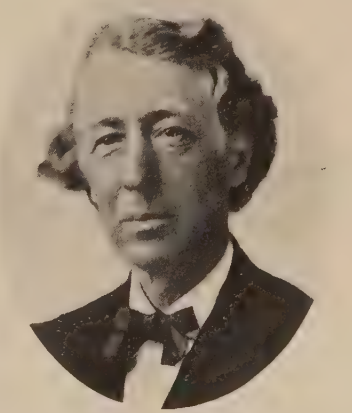
JACOB THOMPSON,
Secretary of Interior



JOHN B. FLOYD,
Secretary of War.



ISAAC TOUCEY,
Secretary of the Navy.



HORATIO KING,
Postmaster-General.

MEMBERS OF PRESIDENT BUCHANAN'S CABINET.

the Court, written by Mr. Justice Grier, was filed on April 22, following, while Stanton was in California. It sustained the Manny patents and permitted Manny's heirs and successors to continue manufacturing reapers thereunder, in which they built up an enormous business and realized great sums of money.

justices during their consultations, saying to him: 'When the justices are examining these models you must not leave the room but remain and see that nothing happens to them, for they are costly.' Of course the old servant not only watched the models but heard all that the justices said in consultation and communicated it to Mr. Watson. More than a month before the decision was filed Mr. McCormick called upon Mr. Watson, who haw-hawed and was vociferously jolly. He already knew, through the old janitor, that he had won, while McCormick and his friends were waiting anxiously and ignorantly for the formal decision to be filed for their information. Manny had the two ablest managers in America in charge of his case—Edwin M. Stanton and Peter H. Watson. If they had been on the other side McCormick would have won, as he deserved, for he certainly was the inventor of the first successful reaping machine."

CHAPTER XII.

SECOND MARRIAGE—CALIFORNIA LAND CASES.

For more than ten years after the death of Mary, his wife, Stanton eschewed the society of women. He did indeed pay some attention in Steubenville to a woman of fine manners and accomplishments who subsequently became the wife of Dr. John C. Zachos, curator of Cooper Union, New York, and was an admirer also of Jean Davenport, the actress; but as law was his business and its practise his courtship, nothing came of these admirations.

However, in the family of Lewis Hutchison, a man of wealth and prominence and one of Stanton's clients in Pittsburg, were two handsome daughters. One of them, Miss Ellen, a woman of queenly manners, statuesque figure, and classically beautiful face, made a profound impression upon Stanton at their first meeting. This impression drew him to the position of suitor, and in due time resulted in marriage.

"I never can forget when, in the early summer of 1856," says his faithful gardener, Alfred Taylor, "Mr. Stanton came to Steubenville from Pittsburg to arrange for his approaching second marriage. He went to two chests in the upper part of the house and got out a large number of letters written to him by Mary, his dead wife, before and after their marriage. He arranged them in a neat pile in the grate, saying he was 'required' to burn them. 'But I cannot do it, Alfred,' he said, his voice trembling and tears streaming down his cheeks; 'you light them for me, please.'

"So I put the match to the bundle, but they burned slowly, as if pleading to live. The progress of the flames was very painful to him, and as the dear messages melted away he walked back and forth wringing his hands and weeping. It was sorrowful, very sorrowful, and I turned my back so Mr. Stanton could not see that I, too, was crying."

The marriage was solemnized by Dr. Theodore Lyman, rector of Trinity Episcopal Church, in the house of the bride's father, on

June 25, 1856—a quiet and thoroughly enjoyable home wedding. The bride (born September 24, 1830) was not quite twenty-six and the groom not forty-two years of age. After a few weeks of travel, Mr. and Mrs. Stanton leased and elegantly furnished a house in Washington, on C Street, N. W., near the Metropolitan M. E. Church.

Brother attorneys pointed out that this house was but a few yards from the consultation chambers of the justices of the United States Supreme Court. That was the fact, and frequently the justices were entertained therein at dinner or as agreeable social callers.

There were strong reasons for the removal to Washington. His chief retainers grew out of matters requiring frequent appearance before the United States Supreme Court, and the nomination of James Buchanan, a Pennsylvanian and a personal friend, renewed Stanton's interest in the Democratic party, from which he had been estranged for some years. Jeremiah S. Black, as soon as the nomination of Buchanan had been accomplished, urged him to take an open part in the Democratic campaign. This advice was followed, and, on March 4, 1857, when the Buchanan administration was installed, Stanton found himself on intimate terms with it and Attorney-General Black turning important public business into his hands. The greatest of these matters is called the California Private Land Claims, which grew out of the partition of Mexico by the treaty of 1848, and the annexation of the Pacific Coast territory to the United States. They numbered over eight hundred and covered over twenty thousand square miles of land.

In 1851 Congress enacted a law providing for a commission to hear and determine the claims of those holding real or pretended grants from Mexico, with the right of appeal by either party to the Federal courts. Under this law claimants began a grand system of forgery and perjury for the robbery of the Government, enlisting an abundance of capital and the cooperation of many public officials. Finally, the Government was startled by a favorable decision on the enormous and fraudulent claim of José y Limantour—"the most stupendous fraud," said Attorney-General Black, "since the beginning of the world." The United States district attorney of California—Colonel Della Torre—was ordered to take an appeal from the decision, and at the same time Stanton was retained to proceed to California as "special counsel of the United States" to

"do his utmost to protect the interests of the Government."

With five thousand dollars as a retainer, accompanied by Lieutenant H. N. Harrison of the navy, James Buchanan, jr. (son of the Reverend E. Y. Buchanan of Philadelphia, the President's only brother), and his own son Eddie, Stanton sailed from New York in the *Star of the West*, a craft made famous three years later by receiving the fire in Charleston harbor of the Confederate forts while transporting relief to the Union soldiers in Fort Sumter. Crossing the Isthmus of Panama during the prevalence of a fever epidemic, he proceeded in a continuous storm on the Pacific Ocean to San Francisco. At this time he was suffering severely with asthma, which was rendered more acute by the tempestuous voyage. In his first letter from the ocean, dated March 2, on the Caribbean Sea, to Peter H. Watson, he said:

I have not suffered a minute from seasickness, nor has Eddie. Almost every one else was sick—some very severely. The first few days out, the weather was very cold, rough, and disagreeable, which brought on a sharp attack of asthma—the hardest I have had. It lasted several days, but is gradually disappearing under the genial influence of the tropics. If I could have been seasick I think it would have relieved me, and in this respect I shall not experience one of the benefits anticipated from the voyage.

Sunday we spent at Kingston, Jamaica, where the ship takes on her coal. The scenes at the wharf and at the church—which were the two points of observation that I selected—afforded a strange and very interesting exhibition. Here the extremes of the Jamaican social system were encountered.

The products of the island have greatly diminished and the estates grown ruined and neglected since the Emancipation. The whites say this is owing to the oppressive exactions and burthens of the Government, which destroy all hope of improvement and repress all exertion. I saw no indication of unwillingness in the blacks to labor; but the complaints of want of work are very great. I had several applications by smart, active fellows to go with me, because, they said, they could get no employment; all our passengers had similar applications.

On the 10th he wrote again:

I have finished writing out my argument* in the reaper case [McCormick *vs.* Manny] and on my arrival at San Francisco will forward it to you. The roughness of the sea and the shaking of the ship have pre-

*Stanton made his great argument in the reaper case before the United States Supreme Court wholly without notes or references. Weeks afterward, P. H. Watson requested to be supplied with a copy of it for publication, and Stanton, while on the ocean, reproduced it complete from memory.

vented its being written as well as I could wish, and it has required a good deal of correction. I think, however, that with proper care in reading the proof, no material mistakes can occur. I have also added a title page, and an explanatory note.

In the note I have left a blank for the date of the opinion of the Supreme Court and the judge by whom it is delivered. I assume that it will be in our favor.

My health is now very good. For the last three days I have had no symptom of my complaint. We are getting out of the hot latitudes. The air is delightfully cool, bracing, and luxurious to breathe. My chest and lungs feel lighter and better than for several months. Indeed I never was in more perfect health or enjoyed life better than for the last two days.

On Friday, March 19, he wrote:

The last forty-eight hours have been the roughest ever known on this coast. Night before last was terrific. The sea dashed over our hurricane deck, knocked in the ports, poured into the staterooms and frightened everybody generally.

On April 3, he wrote from San Francisco:

My health has been a good deal improved, but it is not entirely restored. As soon as I can get leisure I shall go to some of the interior valleys, where I hope to become quite well.

I spend about ten hours every day in examining and arranging Spanish documents, letters, records, etc., in the archives office, and as I often have to resort to an interpreter, the work is slow. The results, however, are more complete than I hoped for, and the investigation already made will, I think, insure complete success in the legal objects of my voyage—however it may prove on the score of health.

In his letter of April 18, he thus referred to the Spaniards:

Everything about this country—its past, present, and future—is full of interest. The examination of its early history as developed in the State papers and provincial records and official correspondence has entertained me very much—especially the Spanish period extending back from 1821 to 1787.

The old Spaniards were a grand race, and their wonderful administrative talent has nothing like it at the present day.

I am in tolerable health, but not entirely restored, having overtaxed myself a little the past ten days.

On the following day he wrote this to his partner, Theo. Umbstaetter:

The climate is very pleasant, the weather uniform. The forenoon is delightful, but the sea breeze in the afternoon is chilly.

The gentlemen society is excellent. I say gentlemen, for the number of families is too limited and recent to form an established female society, such as exists in other cities of the same size. There are two gentlemen's clubs, and club life is here very pleasant. All the gentlemen of the city drop in usually of an evening—I mean those who are members. The house is large, the rooms spacious and well-furnished, and the air of a fashionable assembly of gentlemen prevails. There are several theaters which are open Sundays as well as week days; occasionally a fancy danseuse makes her appearance.

The stated preaching of the gospel is also well attended, there being several large churches which are thronged every Sunday. At the present there is an active revival going on—prayer-meeting every day from 12 to 1 and from 4 to 5 in all the churches and they are well attended, it is said. I can't speak from observation.

There is a deep, bitter, and revengeful feeling lingering between the Vigilantes and the Law and Order parties, and everybody is on one side or the other. The markets are excellent, vegetables in abundance and of great luxuriance. We have strawberries, green peas, cucumbers, and asparagus. The meat and fish market is also very fine. At a dinner Saturday evening we had frogs. They put me in mind of Nardi's;* give him my compliments.

In the foregoing letter Stanton expressed the belief and to his wife wrote at the same time that he would be home in six or eight weeks. She repeated this promise so that it became public, whereupon Judge Black protested, writing: "There is no other man living for whom I would have assumed the responsibility I have taken with you. You must succeed or prove that success was utterly impossible. I can't float unless I ride on the wave of your reputation, and I want it to roll high."

A letter of May 2, to Mr. Watson, throws some light on local conditions at San Francisco:

I am still very hard at work. My health seems to continue improving. No asthmatic symptoms have troubled me for more than ten days.

The purpose of my visit will be fully accomplished as far as relates to the business under my charge. That has been quite evident from the investigations already made, and the proof that has been accumulated since my arrival here. There is a good deal of excitement among the parties adversely interested, but it evinces itself in nothing more formidable than a newspaper squib occasionally; and as no opportunity will be afforded for anything else, I hope to get through my employment pleasantly and successfully.

*A. Nardi was the caterer and general manager of the Pittsburg club, which had quarters in Shaler and Stanton's building in Pittsburg, with whom, for several years, Stanton took his meals.

Last week I made a very delightful trip around the Bay of San Francisco and to the missions of Santa Clara and San Gare, and the quicksilver mines. That region of country was more beautiful than any I have ever passed through.

The city is to-day deeply interested in a great race going on, and everybody has gone out to the race course to see a man ride 150 miles in six hours. To-morrow there is to be a duel, it is said. It grows out of the fugitive slave law case, decided since my arrival, and if it takes place, will no doubt be a bloody affair. A great deal of murderous feeling is evinced on the subject. With all of its advantages of climate, soil, and minerals, California is heavily cursed with the bad passions of bad men and I would not like to make my permanent abode upon its soil.

A marvelous thing is now going on here. The mining districts of California are being depopulated by the rush of emigration to the British possessions on Frazer's River. Most disastrous results must follow in California for a season. Nor is it any delusion. There can be no doubt of the richness of the gold fields there.

On August 19, he must have been homesick:

I have fixed the 22d of September as the date of departure, and I am hurrying with impatience to be home. If I reach there in safety, nothing shall induce me to wander off again. Nothing but health would have tempted me on this occasion. That I have regained—whether permanently or not, time only can show. I have seen much, learned much, and have idled away no time. To be at home with family and friends is now the desire of my heart.

On September 3, he wrote:

In July I had no doubt of being able to leave here by the steamer that takes this letter, but the business here is so great that it is impossible to calculate on time beforehand. On Monday I shall close the evidence in the Limantour case, for which I came. And after that there will remain very little more to be done than count the dead and bury them.

For the last few years a set of Mexicans has been plundering the United States at the rate of a million a year without any questions being asked. Having determined to throw a brick at them, I shall stay to see where it hits.

On November 25 he wrote: "Judgment has been entered in favor of the United States in all my cases and my work is done."

His work was "done" in California only, as he learned when the cases were reopened on appeal in the Supreme Court of the United States; and his task, more complicated and prolonged than he had expected, continued to hold him in California.

Met at the outset by a most extraordinary maze of forgery

and perjury, and unable to find the original grants, he formulated and sent to Washington two bills which were enacted into laws (May, 1858)—one to compel the production of land papers and records, and the other punishing the fabrication of claims or documents in support thereof. Armed with these, he instituted a personal search of all the archives on the California coast and was rewarded by discovering not only the original grants, but the correspondence showing the fraudulent character of the great Limantour claim. The fraud was defeated; Limantour, abandoned by his lawyers, was indicted and fled the country; and all the spurious grants, including that covering the great Alameda quicksilver mine, were defeated.

Before returning (in January, 1859) he gathered and digested the Spanish and Mexican land laws and decisions and the documents relating to grants and reversions which, found in over four hundred volumes, are now a very valuable part of the Government records.

His fee was twenty-five thousand dollars and the Government paid his expenses to, from, and in California.* A quarter of a million dollars would not have been unreasonable compensation, for he prevented a stupendous robbery of the Government and of San Francisco; saved the administration from disgrace; won where everybody else had failed; settled the land titles of California; and changed the character of Pacific coast civilization.

*The passage from New York to San Francisco cost \$300; boarding, lodging, washing, etc., at the International Hotel, from March 19, 1858, to January 2, 1859, \$1,102.88; passage of Stanton, Lieut. Harrison, and James Buchanan, jr., from San Francisco to New York, \$851.25; transporting baggage across the Isthmus of Panama, \$25.60.

CHAPTER XIII.

TRIAL OF DANIEL E. SICKLES.

Stanton left San Francisco on the morning of January 3, 1859, and was with his family in Washington during the first days of February, having been absent a week less than a year. His asthma was comatose and his general health greatly improved; but he had not become fully rested when, on Sunday, February 27, 1859, Daniel E. Sickles, member of Congress from the city of New York, in front of his residence in Washington, shot and killed Philip Barton Key, exclaiming: "Key, you scoundrel, you have dishonored my home; you must die."

Sickles—talented, handsome, and dashing—had resided, when first married, in the household of James Buchanan in London, his host being then United States Minister at the court of St. James, and himself Secretary of Legation. His wife, of Latin origin, the daughter of the composer Baglioli, had deep, dark, lustrous eyes and, at twenty-three, "was remarkable for something especially soft, lovely, and youthful in the type of her peculiar beauty." Key, son of the author of the "Star Spangled Banner," was tall, polite, talented, polished, and a widower. His sister was married to George H. Pendleton of Ohio; his father's only sister was the wife of Chief Justice Roger B. Taney, and he himself had been for some time United States Attorney for the District of Columbia. The social, official, and political prominence of the parties involved gave the tragedy great significance.

On Thursday following the grand jury brought in an indictment against Sickles for murder, and on April 4, following, the trial began with Stanton as senior attorney for the defense. Although the property qualification for jurors, as established by the laws of Maryland in 1777, had for years been a dead letter in the District of Columbia, Prosecutor Robert Ould brought it up in this case for the purpose of debarring from jury service citizens against whom no other objections would lie. Stanton made a strong endeavor to

have that barbaric rule left where it had lain so many years undisturbed, but the Court sustained the prosecuting attorney, and no one who could not swear that he owned property in the District valued at eight hundred dollars above his debts, was allowed to serve.

One peculiarity of the trial was admitting testimony and rulings from the trial of a colored slave woman in North Carolina for the purpose of excluding written evidence favorable to Sickles, and during the next moment ruling out the testimony of a free colored woman which was known to be unfavorable to Key! Stanton contended that the "prosecution, in their thirst for blood, had not only forgotten the institution of slavery, but modern society and law as well." J. M. Carlisle, a very able attorney, attempted to gain favor with the jury, most of whom were slave-holders, by assailing Stanton for making what he called an "anti-slavery speech," but there was hearty applause when Stanton retorted in a loud voice: "The doctrines which I have maintained here to-day in defense of homes and families will be the proudest record I can leave to my children." Hitherto negroes had been allowed to testify in the District of Columbia, but Judge Crawford refused to admit the evidence of any colored person in this trial, as otherwise there would be placed on record the inculcating testimony of Negro Gray, in whose house, rented for the express purpose, Key held clandestine meetings with Mrs. Sickles.

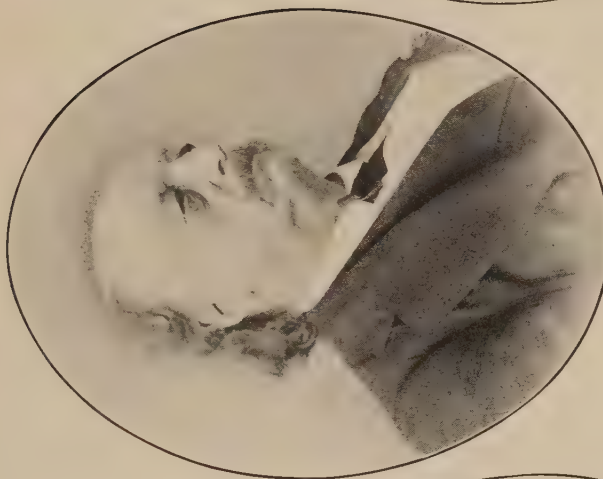
The case was fought tenaciously. On the eighteenth day Stanton began to sum up for the defense, a distinguished audience crowding the court-room. A portion of his address, which was rugged and powerful throughout, is reproduced* from the official stenographic notes of Felix G. Fontaine:

Family chastity, the sanctity of the marriage bed, the matron's honor, and the virgin's purity are more valuable and estimable in law than the property or life of any man. The present case belongs to that class on which rest the foundations of the social system. Here in the capital of the nation, the social and political metropolis of thirty millions of people, a man of mature age, the head of a family, a member of the learned profession, a high officer of Government, intrusted with the administration of the law, and who for years at this bar has demanded judgment of fine, imprisonment, and death against other men for offenses against the law, has himself been slain in open day in a public place because he took advantage of

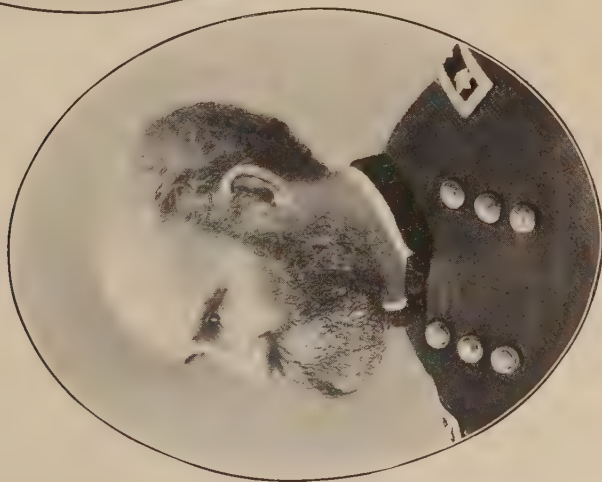
*The full speech appears as the 10th selection in Snyder's "Great Speeches by Great Lawyers," a volume containing the world's best examples of learning, logic, eloquence, truth, justice, and power in oratory.



GEN. DANIEL E. SICKLES.



GEN. B. F. BUTLER.



GEN. RUFUS SAXTON.

the hospitality of a sojourner in this city. Received into his family, he debauched his house, violated the bed of his host, and dishonored his family. On this ground alone, the deed of killing was committed. * * *

"What God hath joined together let no man put asunder." By marriage, the woman is sanctified to the husband and this bond must be preserved for the evil as well as for the good. It is the blessing of the marital institution that it weans men from their sins and draws them to the performance of their duties. This seal of the nuptial vow is no idle ceremony. Thenceforth the law commands the adulterer to beware of disturbing their peace. It commands that no man shall look on woman and lust after her.

The penalty for disobedience to that injunction did not originate in human statutes; it was written in the heart of man in the Garden of Eden, where the first family was planted, and where the woman was made bone of man's bone, flesh of man's flesh. No wife yields herself to the adulterer till he has weaned her love from her husband; she revolts from her obedience and serves the husband no longer. When her body has once been surrendered to the adulterer, she longs for the death of her husband, whose life is often sacrificed by the cup of the poisoner, or the dagger or pistol of the assassin. The next greatest tie is that of parent and child. If in God's providence a man has not only watched over the cradle of his child but over the grave of his offspring, and has witnessed earth committed to earth, ashes to ashes and dust to dust, he knows that the love of a parent for his child is stronger than death. The bitter lamentation—"Would to God I had died for thee"—has been wrung from many a parent's heart. But when the adulterer's shadow comes between the parent and the child, it casts over both a gloom darker than the grave. What agony is equal to his who knows not whether the children gathered around his board are his own offspring or an adulterer's brood, hatched in his bed. To the child it is still more disastrous. Nature designs that children shall have the care of both parents; the mother's care is the chief blessing to her child—a mother's honor a priceless inheritance. But when an adulterer enters a family the child is deprived of the care of one parent, perhaps of both.

When death, in God's providence, strikes a mother from the family, the deepest grief that preys upon a husband's heart is the loss of her nurture and example to his orphan child; and the sweetest conversation between parent and child is when they talk of the beloved mother who is gone. How can a father name a lost mother to his child, and how can a daughter hear that mother's name without a blush? Death is merciful compared to the pitiless cruelty of him whose lust has stained the fair brow of innocent childhood by corrupting the heart of the mother, whose example must stain the daughter's life.

The pride and glory of the family is its band of brothers and sisters. Sprung from the same love, with the same blood coursing in their veins, their hearts are bound together by a cord which death cannot sever; for wide asunder as may be the graves of a household, varied as may be their paths on earth, when life's rough ocean is passed, sooner or later they will

rejoice on the heavenly coast—a family in heaven. But when the adulterer puts a young wife asunder from her husband, her child is cut off from all kindred fellowship. The companionship and protection of a brother of the same blood can never be hers. No sister of the same blood can ever share her sorrow or her joy. Alone thenceforth, she must journey through life, bowed down with a mother's shame. Nor does the evil stop here. It reaches up to the aged and venerable parents of the wretched husband and of the ruined wife and stretches through the circles of relatives and friends that cluster around every hearth. Such are the results of that adulterer's crime on the home—on the home, not as it is painted by the poet's fancy, but as it is known and recognized by the law—as it exists in the household, and as it belongs to the family of every man. They show that the adulterer is the foe of every social relation, the destroyer of every domestic affection, the fatal enemy of the family, and the destroyer of the home. The crime belongs to the class known in law as *mala in se*—evil in itself—fraught with ruin to individuals and destruction to society.

Such being its nature, we can easily perceive why it is that in Holy Writ the crime of the adulterer is pronounced to be one which admits of no ransom and no recompense. We can perceive why it is that in every book of the Old and New Testaments it is denounced; why it is that by every law-giver, prophet, and saint, it is condemned.

We can understand why it is that twice it is forbidden in the Ten Commandments, and why it is that Jehovah himself, from the tabernacle in the midst of the congregation, declared that “the man who committeth adultery with another man's wife, shall surely be put to death.” By God's ordinance he was to be stoned to death, so that every family in Israel, every man, woman, and child might have a hand in the punishment of the common enemy of the family!

What is adultery? It cannot be limited to the fleeting moment of sexual contact; that would be a mockery, for then the adulterer would ever escape. But law and reason mock not human nature with any such vain absurdity. The act of adultery, like the act of murder, is supposed to include every proximate act in furtherance of, and as a means to, the consummation of the wife's pollution. This is an established principle in American and English law, established from the time of Lord Stowell. If the adulterer be found in the husband's bed, he is taken in the act, within the meaning of the law, as if he were found in the wife's arms. If he provide a place for the express purpose of committing adultery with another man's wife, and be found leading her, accompanying her, or following her to that place for that purpose, he is taken in the act. If he not only provides but habitually keeps such a place, and is accustomed by preconcerted signals to entice the wife from the husband's house, to besiege her in the streets to accompany him to the vile den; and if after giving such preconcerted signals, he be found watching her, spy-glass in hand, and lying in wait around a husband's house, that the wife may join him for that guilty purpose, he is taken in the act.

If a man hire a house, furnish it, provide a bed in it for such a purpose, and if he be accustomed, day by day, week by week, and month by month,

to entice her from her husband's house, to tramp her through the streets to that den of shame, it is an act of adultery, and is the most appalling one that is recorded in the annals of shame. If, moreover, he has grown so bold as to take the child of the injured husband, a little daughter, by the hand, to separate her from her mother, to take the child to the house of a mutual friend while he leads the mother to the guilty den, in order there to enjoy her, it presents a case surpassing all that has ever been written of cold, villainous, remorseless lust!

If this be not the culminating point of adulterous depravity, how much farther could it go? There is one point beyond; the wretched mother, the ruined wife, has not yet plunged into the horrible filth of common prostitution, to which she is rapidly hurrying, and which is already yawning before her. Shall not the mother be saved from that, and how shall it be done? When a man has obtained such power over another man's wife that he cannot only entice her from her husband's house, but separate her from her child for the purpose of guilt, it shows that by some means he has acquired such an unholy mastery over that woman's body and soul that there is no chance of saving her while he lives, and the only hope of her salvation is that God's swift vengeance shall overtake him.

The sacred glow of well-placed domestic affection, no man knows better than your Honor, grows brighter and brighter as years advance; and the faithful couple whose hands were joined in holy wedlock in the morning of youth find their hearts drawn closer to each other as they descend the hill of life to sleep at its foot; but lawless love is as short-lived as it is criminal, and the neighbor's wife, so hotly pursued by tramping down every human feeling and Divine law, is speedily supplanted by the object of some fresher lust, then the wretched victim is sure to be soon cast off in common prostitution and swept through a miserable life and a horrible death to the gates of hell—unless a husband's arm shall save her.

Who, seeing this thing, would not exclaim to the unhappy husband: "Hasten, hasten, hasten to save the mother of your child! Although she be lost as a wife, rescue her from the horrid adulterer; and may the Lord who watches over the home and family, guide the bullet and direct the stroke!" [The audience broke into uproarious applause which the officers of the court vainly endeavored to check.]

When she is delivered, who would not reckon the salvation of that young mother cheaply purchased by the adulterer's blood? Aye, by the blood of a score of adulterers. The death of Key was a cheap sacrifice to save one mother from the horrible fate, which on that Sabbath day hung over this prisoner's wife and the mother of his child.

By the American law, the husband is always present by his wife; his arm is always by her side; and his wing is ever over her. The consent of the wife cannot in any degree affect the question of the adulterer's guilt, and if he be slain in the act by the husband, then it is justifiable homicide. By the contemplation of law the wife is always in the husband's presence, always under his wing; and any movement against her person is a movement against his rights and may be resisted as such.

We place the ground of defense here on the same ground and limited by the same means as the right of personal defense. If a man be assailed, his power to slay the assailant is not limited to the moment when the mortal blow is about to be given; he is not bound to wait till his life is on the very point of being taken; but any movement toward the foul purpose plainly indicated justifies him in the right of self-defense, and in slaying the assailant on the spot. The theory in our case is, that here was a man living in a constant state of adultery with the prisoner's wife; a man who was daily by a moral, no, by an immoral power—a power enormous, monstrous and altogether unparalleled in the history of American society, or in the history of the family of man—over the being of this woman, calling her from her husband's house, dragging her day by day through the streets in order that he might gratify his lust. The husband beholds him in the very act of withdrawing his wife from his roof, from his presence, from his arm, from his wing, from his nest—meets him in the act and slays him. And we say that the right to slay him stands on the firmest principles of self-defense.

Prolonged and enthusiastic applause greeted Stanton at the close of his address, which the court was unable to suppress. On the twentieth day of the trial the case was submitted to the jury, who within an hour returned with a verdict of **NOT GUILTY**. The audience, rising, cheered vociferously as Sickles and Stanton passed out to their carriage.*

*Sickles, whose love and friendship for Stanton never abated, took his beautiful young wife again to his arms, and a son born to him by his second wife was named Stanton Sickles.

CHAPTER XIV.

A NEW HOME—ELECTION OF 1860.

The trial of Sickles had hardly ended before Stanton reentered the reaping-machine litigation as attorney for Obed Hussey, who sued C. H. McCormick for infringement of his patent upon the scalloped sickle and open fingers of the cutter-bar of a harvester. In behalf of his client he visited Cincinnati, Chicago, Cleveland, and other cities, making an argument before Justice McLean and Judge Drummond and winning his case.

In May, 1859, while the reaper suits were pending, he won what is said to be the first successful suit to compel a municipal corporation to pay interest on railway bonds which it had guaranteed as a bonus to promote the construction of the bonded road. The suit was brought against Pittsburg in 1858 by Oelrichs and Company of New York City, holders of guaranteed bonds, and was concluded in the United States court in favor of the plaintiffs.

In October, 1859, he purchased seven thousand three hundred and fifty square feet of land on the north side of K Street fronting Primrose Hill (now Franklin Square) in Washington, for five thousand eight hundred and eighty dollars. The location is one of the choicest in the national capital. Thereon, partly with money given to Mrs. Stanton by her father, and according to her plans, a large brick and stone house was erected and occupied in 1860.

William Stanton Buchanan, who grew up with him, says: "Stanton loved with an everlasting love the friends of his youth and the place of his birth." That is true. At the same time that he erected the Washington residence, he purchased for three thousand five hundred dollars the large Andrews house in Steubenville, in which his first wife had died and which he had since maintained as a home for his mother, the widow and children of his brother Darwin, and his sister Oella and her children. He thought that, when

the stormier period of life had passed; he might desire to return to Steubenville to rest and to die.

In the meantime, during 1860, the leading claimants who had been defeated by him in California, appealed their cases, and he was preparing for their argument or arguing them before the United States Supreme Court. Thus with reaper cases, railroad suits, the California land claims, and other litigation, his time was occupied within his office almost night and day, while without the nation was racked by a heated, five-sided presidential contest. The candidates were Lincoln and Hamlin, Douglas and Johnson, Bell and Everett, Breckinridge and Lane, and Sam Houston and "his old Indian blanket."

Personally he was friendly with and esteemed the candidate for president on the Southern ticket, Vice-President Breckinridge, but thought he ought not, for the sake of the nation, being a sectional nominee, to win. He knew little of the Republican nominee, but, fearing that the radical abolition leaders who were supporting him could not be more effectually restrained than the ultra State-Sovereignty adherents of Breckinridge, believed that Lincoln, too, ought to be defeated. He hoped that the election of Douglas, who was not particularly in favor with either the pro-slavery or anti-slavery faction, might be a golden mean to avert present disaster, permit the nation to cool down, and lead its contending sections to come to a peaceable and perhaps ultimately satisfactory arrangement.

However, he frequently expressed the opinion that "Lincoln would be victorious by a narrow margin and become a minority president," concluding a business letter to his Pittsburg partner, Charles Shaler, on July 2, 1860, thus: "There is much suppressed excitement over the political situation. The Democrats are so entirely divided that none of their candidates can win, in my opinion. The Western railsplitter will be technically elected, and we shall see great dissension."

Lincoln carried 17 States, receiving 180 electoral and 1,866,352 popular votes; Breckinridge carried 11 States, receiving 72 electoral votes and 845,763 popular votes; Douglas carried 2 States, receiving 12 electoral and 1,375,157 popular votes; Bell carried 3 States, receiving 39 electoral and 589,581 popular votes; Houston and "his old Indian blanket" were forgotten.



JAMES BUCHANAN.



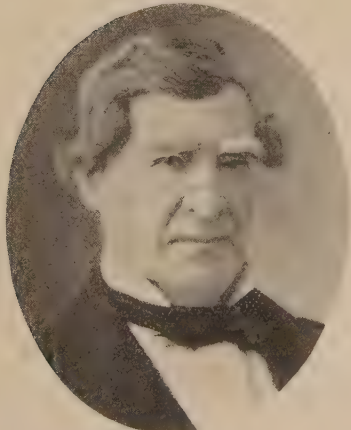
EDWIN M. STANTON,
Attorney-General.



LEWIS CASS,
Secretary of State.



GEN. J. A. DIX,
Secretary of the Treasury.



JEREMIAH S. BLACK,
Secretary of State.



HOWELL COBB,
Secretary of the Treasury.

PRESIDENT BUCHANAN AND MEMBERS OF HIS CABINET.

In South Carolina the electors were chosen by the legislature, so that, practically, Lincoln received 1,000,000 less of the popular suffrages than the opposition. He was to be what Stanton predicted, "a minority president," and the South began active preparations to withdraw from the Union.

CHAPTER XV.

A SEETHING CALDRON.

Amid great public excitement and a rapid culmination of startling events, Stanton went to Pittsburg soon after election to try the case of *Fox vs. the Hempfield Railway Company* in the United States circuit court. While thus engaged, a message from Judge J. S. Black requested him to return at once to Washington, as the President wished to nominate him for attorney-general. It therefore becomes necessary to make a partial examination of the heated and violent surroundings into which he was thus unexpectedly flung.

On the day before election Governor W. H. Gist called the legislature of South Carolina to convene in extraordinary session on the following day and continue in session until it should be known whether Lincoln had been elected president; and, "in the event of such election that the services of ten thousand volunteers be immediately accepted," as "the only alternative left, in his judgment, was the secession of South Carolina from the Federal Union." Lincoln was elected and the Stars and Stripes, even on the shipping in Charleston harbor, were everywhere displaced by the Palmetto Flag of South Carolina, and military preparations rushed forward with enthusiasm.

On November 9, Buchanan met his cabinet in a long and excited session. He held that a State possessed the technical right to withdraw from the Union, and on that subject occurred the first serious division in his political household, Lewis Cass, secretary of state, threatening to resign. In this dilemma he appealed to Stanton, then assistant attorney-general, who converted him to the theory that the United States is a nation, and prepared an argument in support of that theory for insertion in the forthcoming annual message to Congress. The argument being accepted and incorporated in the message, Stanton left for Pittsburg, as above stated.

During his absence and two days before the meeting of Con-

gress (on December 3) "Buchanan was frightened into expunging from his message the assertion of the power to coerce a State in rebellion, and induced to insert in its place the contrary doctrine,"* says Henry L. Dawes, who "obtained his information from Stanton himself."

Secretary Cass appealed to Buchanan to reinforce the forts in Charleston harbor and place the Federal property in the extreme slave States in the best possible condition of defense. Buchanan was unable to comply, having already (on December 9) entered into an agreement, stated in writing, with the congressmen from South Carolina that he would hold everything in check while the South was preparing for disunion.

The resignation of Cass followed on the 12th of December. Black was appointed to be his successor and Stanton, to succeed Black was confirmed by the Senate on Thursday, the 20th. Francis E. Spinner, then a member of Congress, says: "A committee headed by Edwin D. Morgan and myself investigated Mr. Stanton after his nomination. We found him all right—an ardent friend of the Union and ready to defend it at all hazards, with force of arms if necessary."

On the day that Cass resigned, Jacob Thompson of Mississippi, secretary of the interior, told Buchanan that he was going to Raleigh as commissioner from his State to induce North Carolina to secede from the Union, and the President replied that he wished him to go and hoped that he might succeed." Thompson held a public reception before the State legislature and then returned to his place in the cabinet and to the arms of the President!†

On the 18th Buchanan despatched Caleb Cushing secretly to Governor Pickens, who had succeeded Gist as executive of South Carolina, with a proposition to postpone further open secession operations until after the inauguration of Lincoln, agreeing, if

*Jefferson Davis says ("Rise and Fall of the Confederate Government," page 57) that he "was called from Mississippi to Washington by messages from two of Buchanan's cabinet to supervise and give direction to the President's forthcoming message," and that Buchanan "very kindly accepted all the modifications suggested."

†In "Speeches and Writings of T. L. Clingman," page 26, Mr. Clingman says: "I could not help exclaiming: 'Was there ever before a potentate who sent out his own cabinet ministers to incite an insurrection against his own government?'"

Pickens would accede to the request, to send no reinforcements of men or munitions to Charleston and permit no change in the condition of other Southern forts (that would be inimical to secession); but the mission failed.

During the day on which Stanton was sworn in, South Carolina unanimously passed the ordinance of secession and wheeled out of the Union. Thus the force intended to break up and the genius foreordained to save the Union appeared simultaneously in the arena.

On the same day orders were made by Colonel Henry E. Maynadier, chief of the Ordnance Department, directing the commandant of Allegheny Arsenal, Pittsburg, to ship to the forts at Ship Island and Galveston, Gulf of Mexico, one hundred and thirteen columbiads and eleven 32-pounders for the armament of those fortifications. Major John Symington of Maryland, in charge of the arsenal, began preparations to carry the orders into effect. Six of the larger guns had been dragged to the wharf and four of them hoisted to the deck of the *Silver Wave* on Friday, December 28, when a great mass-meeting assembled in front of the court-house in Pittsburg to protest. General William Robinson presided, opening with a patriotic address, which was followed by speeches of like tenor from Judge Charles Shaler (Stanton's law partner) and others.

Being advised* of what was transpiring at Pittsburg, Stanton inquired of the Secretary of War concerning it and was met with the statement that there was "no information on file touching the matter." From the War Office he proceeded to Buchanan, "who evinced neither surprise nor concern," merely saying that he had given no "official" sanction to such an order, although Secretary Floyd declared that the President knew the order was to be issued and "advised that it be done in such a manner as not to arouse suspicion!"

On Thursday, January 3, 1861, Stanton telegraphed to the mayor, George Wilson, that the order had been officially rescinded by Secretary Holt, who had just succeeded Floyd, and received a

*Robert T. Hunt of Pittsburg, who was in Shaler, Stanton, and Umbstaetter's office in that city, says: "Judge Shaler telegraphed to Stanton the situation. I wrote the telegram for him and carried it to the telegraph office. I think Stanton acted on that telegram. At any rate he replied, and the shipment of cannon was stopped."

vote of thanks on the following evening from the Pittsburg city council.

In the meantime (December 23), Governor Pickens had sent to W. H. Trescot, who left the post of assistant secretary of state to become the agent of South Carolina in Washington, a telegram stating that R. W. Barnwell, J. E. Adams, and James L. Orr had been "appointed commissioners by the convention to proceed immediately to Washington to present the ordinance of secession and to negotiate in reference to the evacuation of the forts and other matters growing out of the act of secession." Trescot laid this information before the President, thus giving him ample time to consult his cabinet and adopt a course of procedure, which, however, he did not do.

On the 26th the commissioners arrived, and the President, without reservation as to manner or form, agreed to meet them at 1 o'clock of the following day. In fact he could make no reservation. He had agreed on the 9th to keep the military status unchanged until commissioners should be appointed and come to treat with him in reference to breaking up the Union and dividing the Federal debts and property, and they had arrived in accordance with and to carry out the terms of that agreement.

On that day (December 26) Stanton wrote to W. B. Copeland, Pittsburg, a friend of his childhood, in response to a letter of congratulation:

I am deeply penetrated by the kindness manifested by your note, received this morning.

After much hesitation and serious reflection, I resolved to accept the post to which in my absence I was called, in the hope of doing something to save this Government. I AM WILLING TO PERISH IF THEREBY THIS UNION MAY BE SAVED.

We are in God's hands and His almighty arm alone can save us from greater misery than has ever fallen upon a nation. I devoutly pray for His help; all men should pray for succor in this hour. No effort of mine shall be spared.

Early in the morning of the 27th the commissioners learned that Major Robert Anderson had, on the evening of the 26th, abandoned Fort Moultrie, spiking the guns behind him, and occupied Fort Sumter. Their secretary, Mr. Trescot, immediately laid this information before Senators R. M. T. Hunter of Virginia, and

Jefferson Davis of Mississippi, who, joining him, drove quickly to the White House.

The President exclaimed, on hearing the news: "My God, are calamities never to come singly? I call God to witness that you gentlemen, better than anybody, know that this is not only without but against my orders. *It is against my policy.*"

He was strongly urged to say that he would "replace matters as he had pledged himself they should remain," and, says Trescot, "he at first seemed disposed to declare that he would restore the status; then hesitated and said he must call his cabinet together, as he could not condemn Major Anderson unheard." Davis, Hunter, and Trescot, together with Floyd,* who subsequently came in, pressed Buchanan with great vigor, but failed because the President had "no official information" on which to base his action. However, he adjourned the appointment to meet the commissioners formally until the next day, hoping to "be able to accommodate them then."

Before the cabinet reconvened next day Floyd received an official telegram from Major Anderson confirming the news brought by the South Carolina commissioners and announcing that he had "abandoned Moultrie because he was certain that if attacked he must have been reinforced or the command of the harbor lost." Anderson was condemned by Buchanan, Thomas, Thompson, and Toucey. Stanton disagreed strenuously, exclaiming: "Mr. President, it is my duty as your legal adviser to say that you have no right to give up the property of the Government, or abandon its soldiers to its enemies; and the course proposed [to give up Sumter

*Floyd came in by request and as he departed, left this paper with Buchanan:

Mr. President:

Council Chamber, Executive Mansion.

It is evident now from the action of the commander at Fort Moultrie that the *solemn pledges of this Government* have been violated by the action of Major Anderson. In my judgment but one remedy is now left us by which to vindicate our honor and prevent civil war. It is in vain now to hope for confidence on the part of the people of South Carolina in any further pledges, as to the action of the military. One remedy only is left and that is, to withdraw the garrison from the harbor of Charleston altogether. I hope the President will allow me to make that order at once. This order, in my judgment, can alone prevent blood-shed and civil war.

John B. Floyd.

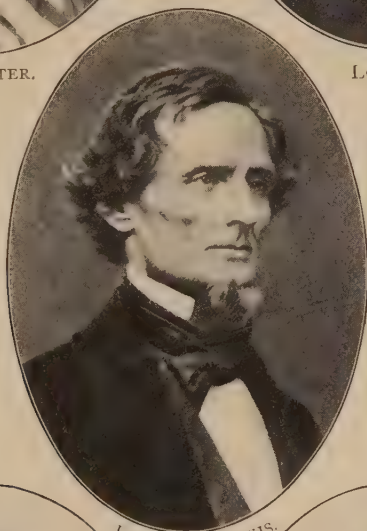
December 27, 1860.



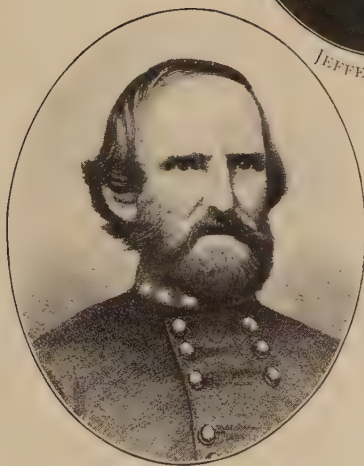
ROBERT M. T. HUNTER.



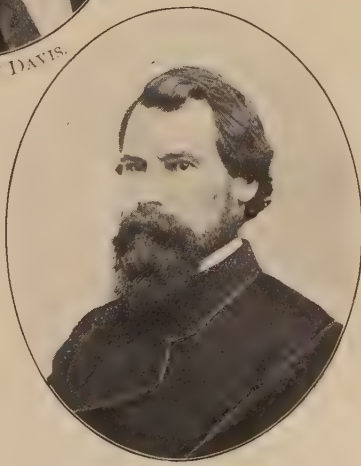
LOUIS T. WIGFALL.



JEFFERSON DAVIS.



BENJAMIN McCULLOCH.



JOHN H. REAGAN.

and abandon Major Anderson] is treason and, if followed, will involve you and all concerned in it in treason."

Nevertheless Buchanan met the commissioners on the 28th, according to agreement. R. W. Barnwell (chairman) laid stress on the fact that the written arrangement of the 9th between the President and the South Carolina congressmen (to make no interference with secession) had been observed in good faith by the people of his State, and that there was no way by which the "violated and forfeited faith" of the President could be restored except to promptly return Anderson and his command to Fort Moultrie. Three times Barnwell declared: "Mr. President, your personal honor is involved. The faith you pledged has been violated and your personal honor requires that you issue that order at once."

The President wavered for some time, but, without question, would have redeemed his pledge to the secessionists if he had not been, as James L. Orr says, "previously screwed up and terrorized by Mr. Stanton, his new attorney-general." The commissioners, on retiring, handed to the President an elaborate paper, officially signed by all of them, giving a full and accurate copy of all secession negotiations and agreements with him, and begging him to make an explanation of his violation of those agreements in order to avoid bringing "to a bloody issue questions which ought to be settled with temperance and judgment." To this paper Buchanan promised a full reply in writing.

As the commissioners withdrew Stanton, accompanied by General Scott, called to see the President. Turning to Scott, Stanton inquired:

"General, will you tell us exactly what position Major Anderson is in from a military point of view?"

"Major Anderson was right in leaving Moultrie," answered Scott. "Sumter is the stronger fortress. In that two hundred men can repel South Carolina and six hundred defy the world."

"Then," earnestly said Stanton to the President, "I hope you will forward those six hundred at once," but they were not sent, although there were nine hundred trained soldiers at Watervliet Arsenal, near Albany, and in the vicinity of New York, of whom six hundred were instantly available.

CHAPTER XVI.

A REMARKABLE MEMORANDUM.

To the letter left with him by the commissioners, who styled themselves "ambassadors," Buchanan prepared a full reply yielding in the main the points they demanded. The proceeding was startling to Stanton, who exclaimed:

These gentlemen claim to be ambassadors. It is preposterous! They cannot be ambassadors; they are law-breakers, traitors. They should be arrested. You cannot negotiate with them; and yet it seems by this paper that you have been led into doing that very thing. With all respect to you, Mr. President, I must say that the Attorney-General, under his oath of office, dares not be cognizant of the pending proceedings. Your reply to these so-called ambassadors must not be transmitted as the reply of the President. It is wholly unlawful and improper; its language is unguarded and to send it as an official document will bring the President to the verge of usurpation.

As this stormy meeting broke up, Floyd handed in his resignation because the President was no longer keeping his "solemn pledges and plighted faith," and was succeeded, as already stated, by Joseph Holt.

Judge Holt says Stanton's "characterization of the South Carolina commissioners as law-breakers and traitors was not aimed at them but at Buchanan, whose relations with those gentlemen had just begun to dawn upon him." They were not "traitors" in the sense in which the term is generally used, because they had been invited to Washington to segregate the property, alienate a portion of the territory, and violate the integrity of the United States by the very person who had just made Stanton a member of the cabinet—President Buchanan himself! Therefore, if they were traitors, Buchanan was a traitor; if they were conspirators, Buchanan was an arch-conspirator—for was he not President of the United States, solemnly sworn to prevent the very thing he had asked these commissioners or ambassadors into the White House to consummate?

During the evening of this day of storm and violence Stanton met Benjamin F. Butler of Massachusetts, who had been called hastily to Washington to confer with leading Democrats "on the state of the Union." Going over the situation of December, 1860, Mr. Butler says:

I knew Mr. Stanton. He related fully to me the proceedings of the preliminary meeting between the President and the South Carolina commissioners and of the scene in the cabinet consultation, which he had just left. He was full of wrath. He said that I must go to both Black and Buchanan and protest against the fatal course the administration was pursuing. He told me that the so-called ambassadors had actually rented a house in Washington—which I subsequently learned was a fact—expecting to remain permanently as representatives of the South as a foreign nation. He said that he had informed the President that the South Carolina agents were traitors; that the President had no power to negotiate with them, and that I must tell the President that if he should continue negotiating with traitors he would place himself on the same plane with traitors and be liable to impeachment if not something worse. He advised me also that he would seek Black that evening and prepare, as attorney-general, an objection to the President's communication to the so-called ambassadors.

I was deeply impressed by his aggressive manner and the grave facts he disclosed. It was audacious to obey his request to personally advise the President what he should do, but the more I thought of it, the more important it seemed, and I went. On returning, I found Judge Black at Willard's Hotel and suggested to him that any officer negotiating with these gentlemen from South Carolina might be getting his neck into a halter. He was frightened by that color of affairs. I do not think he had appreciated the full significance of the situation, as I know I had not before listening to Stanton, whose head was clear and who turned the whole course of events at that time and prevented a disgraceful chapter in our history. Black, too, changed, and when we were through our conversation, took his carriage and drove away to see Stanton.

Butler also advised Black to have the South Carolina commissioners indicted, and offered his services gratis for their prosecution in case of their arrest. John A. (Bowie-Knife) Potter of Wisconsin, a member of Congress at that time, says Stanton "outlined facts for the Dawes committee as a basis for articles of impeachment of President Buchanan if such a course should become necessary, being greatly disturbed lest the Executive should cede away the Union and destroy the Government," and Major A. E. H. Johnson (then a clerk in Watson's office) says Stanton "spent

hours consulting with P. H. Watson about laws covering impeachment."

The hour was one of extreme tension and great national peril. Next morning (following the interview of the commissioners with the President) Buchanan was informed that if the attitude of the administration toward the secessionists and its relations with them should not be changed, Stanton and Black would resign. He quickly sent for those two stalwarts and advised them that he "could have no further disruption of his official household" and had "decided to revamp the communication to the gentlemen from South Carolina." "Then," says Judge Holt, "he handed the draft of his reply to the South Carolina Commissioners over to the Attorney-General [Stanton] and requested him to prepare any legal objections there might be to its clauses," confirmation of which is found in the following letter to General William Robinson of Pittsburgh:

Private.

Washington City, 30th December, 1860.

Dear Sir:

I am truly grateful for your hearty message of good will and congratulation and for your promise that the State of Pennsylvania can be relied on for whatever aid may be needed to preserve our imperiled Union.

We are enveloped in a great deal of dust and fog, but the smudge is not so thick that I cannot distinctly discern treason all around us.

Judge Black and myself have been dumbfounded by a meeting of the President, as President, with the so-called South Carolina commissioners. At first we agreed to resign at once, but after going carefully over the subject thought it better to state our objections or views in writing before taking any step that might later be considered precipitate.

Judge Black is closer to the President than myself and exercises a great deal of influence over him. He will present the written objections, *which I have just prepared*, and stand by for the purpose of extricating the President from his present peril.

If he [Buchanan] shall refuse to recede, it seems to me there is no escape for Black, Holt, and myself except resignation.

I tremble to think that the administration is already semi-officially committed to the theory that South Carolina is an independent nation or "republic" capable of negotiating treaties; and if that theory shall not be completely broken down, followed by reinforcements to hold our beleaguered and threatened Southern forts, there will not be a semblance of the Union left on March 4, next.

I fear that your offer of help on the part of Pennsylvania may be founded on a necessity greater than yourself or the public now discern.

I have written Judge Loomis to bring you to the house when you arrive in Washington next week. I shall be happy to have your com-

pany under my roof. Although for over a week breakfast has been my only meal at home, I look forward to more time early next month. Extending to you the compliments of the season, believe me,

Very truly yours,

To General William Robinson.

Edwin M. Stanton.

The "written objections" referred to in the foregoing letter—grand and powerful "objections," in the light of subsequent events—are as follows:

Memorandum for the President on the Subject of the Paper Drawn up by him in Reply to the Commissioners of South Carolina:

First—The first and the concluding paragraph both seem to acknowledge the right of South Carolina to be represented near this Government by diplomatic officers. That implies that she is an independent nation, with no other relations to the Government of the Union than any other foreign power. If such be the fact, then she has acquired all the rights, powers, and responsibilities of a separate government by the mere ordinance of secession which passed her convention a few days ago. But the President has always, and particularly in his late message to Congress, denied the right of secession and asserted that no State could throw off her Federal obligations in that way.* Moreover, the President has very distinctly declared that even if a State should secede and go out of the Union at pleasure, whether by revolution or in the exercise of a constitutional right, he could not recognize her independence without being guilty of usurpation. I think, therefore, that every word and sentence which implies that South Carolina is in an attitude which enables the President to treat or negotiate with her or to receive her commissioners in the character of diplomatic ministers or agents, ought to be stricken out and explicit declarations substituted which would reassert the principles of the message. It is surely not enough that the words of the message be transcribed if the doctrine therein announced be practically abandoned by carrying on a negotiation.

Second—I would strike out all expressions of regret that the commissioners are unwilling to proceed with the negotiations, since it is very clear that there can be no negotiations with them, whether they are willing or not.

Third—Above all things it is objectionable to intimate a willingness to negotiate with the State of Carolina about the possession of a military post which belongs to the United States, or to propose any adjustment of the subject or any arrangement about it. The forts in Charleston harbor belong to this Government—are its own, and cannot be given up. It is true, they might be surrendered to a superior force, whether that force be in the service of a seceding State or a foreign nation; but Fort Sumter is impregnable and cannot be taken if defended as it should be. It is a thing of

*In his message of December 3, Buchanan said that secession was revolution and the right of revolution existed everywhere.

the last importance that it should be maintained if all the power of this nation can do it; for the command of the harbor and the President's ability to execute the revenue laws may depend on it.

Fourth—The words "coercing a State by force of arms to remain in the Union, a power which I do not believe the constitution has conferred on Congress," ought certainly not to be retained. They are too vague, and might have the effect (which I am sure the President does not intend) to mislead the commissioners concerning his sentiments. The power to defend the public property, to resist an assailing force which unlawfully attempts to drive out the troops of the United States from one of their fortifications, and to use the military and naval forces for the purpose of aiding the proper officers of the United States in the execution of the laws—this, as far as it goes, is *coercion*, and very well may be called "coercing a State by force of arms to remain in the Union." The President has always asserted his right of coercion to that extent. He merely denies the right of Congress to make offensive war upon a State of the Union, as such might be made on a foreign Government.

Fifth—The implied assent of the President to the accusation which the commissioners make of a compact with South Carolina, by which he was bound not to take whatever measures he saw fit for the defense of the forts, ought to be stricken out, and a flat denial of any such bargain, pledge, or agreement inserted. The paper signed by the late members of Congress from South Carolina does not bear any such construction, and this, as I understand, is the only transaction between South Carolina and him which bears upon the subject, either directly or indirectly. I think it deeply concerns the President's reputation that he should contradict this statement, since, if it be undenied, it puts him in the attitude of an executive officer who voluntarily disarms himself of the power to perform his duties and ties his hands so that he cannot, without breaking his oath, "preserve, protect, and defend the constitution"—"see the laws faithfully executed." The fact that he pledged himself in such a way cannot be true. The commissioners have, no doubt, been so informed, but there must be some mistake about it. It arose, doubtless, out of the President's anxious and laudable desire to avoid civil war and his often-expressed determination not even to furnish an excuse for an outbreak at Charleston by reinforcing Major Anderson unless it was absolutely necessary.

Sixth—The remotest expression of a doubt about Major Anderson's perfect propriety of behavior should be carefully avoided. He is not merely a gallant and meritorious officer who is entitled to a fair hearing before he is condemned; he has saved the country, I solemnly believe, when its day was darkest and its perils most extreme. He has done everything that mortal man can do to repair the *fatal error which the administration has committed in not sending down troops enough to hold all the forts*. He has kept the strongest one. He still commands the harbor. We may still execute the laws if we try. Besides, there is nothing in the orders which were sent to him by the War Department which is in the slightest degree contravened by his act of throwing his command into Fort Sumter. Even if those orders, sent without your knowledge, did forbid him to leave a place

where his men might have perished and shelter them under a stronger position, we ought all of us to rejoice that he broke such orders.

Seventh—The idea that a wrong was committed against South Carolina by moving from Fort Moultrie to Fort Sumter ought to be repelled as firmly as may be consistent with a proper respect for the high character of the gentlemen who compose the South Carolina commission. It is a strange assumption of right on the part of that State to say that the United States troops must remain in the weakest position they can find in the harbor. It is not a menace of South Carolina or of Charleston or any menace at all. It is simple self-defense. If South Carolina does not attack Major Anderson, no human being will be injured; for there certainly will be no reason to believe that he will commence hostilities. The apparent objection to his being in Fort Sumter is that he will be less likely to fall an easy prey to his assailants.

These are points on which I would advise that the paper be amended. I am aware that they are too radical to permit much hopes of their adoption. If they are adopted, the whole paper will need to be recast. But there is one thing not to be overlooked in this terrible crisis: I entreat the President to order the *Brooklyn* and the *Macedonian* to Charleston without the least delay, and in the meantime to send a trusty messenger to Major Anderson to let him know that his Government will not desert him. The reinforcement of troops from New York or Old Point Comfort should follow immediately. If this be done at once all may yet be, not well, but comparatively safe. If not, I can see nothing before us but disaster and ruin to the country.

Stanton's letter to General Robinson indicates that the foregoing remarkable paper is entirely his own work; but Joseph Holt believes that two paragraphs were injected by Judge Black after Stanton had written to General Robinson. He says:

After Attorney-General Stanton had complied with the President's request to prepare a set of legal objections to the proposed executive reply to the South Carolina commissioners, he read his brief to me. I took it in my hand and read it again, carefully. It was in five numbered paragraphs, while the present paper contains seven numbered paragraphs. I approved Mr. Stanton's brief and he left me for a consultation with Judge Black. When we met the President, Mr. Stanton stated to me that Judge Black had injected some new paragraphs which he hoped would meet my views. I voted in favor of the policy outlined in the amended Memorandum which, in future history, will be a wonderful paper. The portions which seem to have been suggested by Judge Black include paragraphs two and four in the existing document.

In this connection I ought to state that at first Mr. Stanton objected to any reply at all by the President to the commissioners, declaring that any form of executive negotiation for the purpose indicated was unlawful and criminal.

While the Memorandum was under discussion in the cabinet, Buchanan was compelled to acknowledge his agreement of December 9 with the South Carolina congressmen and claimed that he was now "affected by it personally." He pleaded: "You do not seem to appreciate that my personal honor as a gentleman is involved,"—precisely what Commissioner Barnwell urged with so much vehemence. Stanton explained that such an agreement was impossible and no agreement because the President was "absolutely incapable of making or having an understanding, in writing or otherwise, that would so tie his hands as to prevent the execution of the laws." Quoting what the Duke of Wellington said to George IV., he declared that Buchanan was "not a gentleman but President of the United States, solemnly sworn to execute every law made for the protection of its property, people, and territory."

The conference broke up and the President proceeded with the draft of his reply to the commissioners, promising to make it accord with the Memorandum filed with him. But he broke the promise—censuring Major Anderson, admitting the secret bargain with the South Carolina congressmen, and confessing that his "first promptings were to order Anderson back to Moultrie."

This communication was delivered to the commissioners without the knowledge of Stanton, Black, or Holt. The commissioners made a lengthy rejoinder to it and, on Friday, January 6, gave the entire correspondence on both sides to the public. This correspondence, together with the foregoing Memorandum—in which occurs the sentence, "THE FATAL ERROR WHICH THE ADMINISTRATION HAS COMMITTED IN NOT SENDING TROOPS ENOUGH TO HOLD ALL THE FORTS"—places Buchanan in a position from which no historian can extricate him and fixes Stanton upon a pinnacle from which all time cannot dethrone him.

On October 3, 1863, Augustus Schell of New York inquired of Stanton in writing whether an account of the above-described cabinet meetings which Thurlow Weed had given in the *London Observer* was correct. He replied that it was substantially true, saying:

According to my recollection * * Mr. Buchanan manifested a determination to order Major Anderson back, upon the ground that it was essential to the peace of the country, and also that the movement [of Anderson from Moultrie to Sumter] was a violation of some pledge or promise of his, which he was bound to fulfil. Thompson and Floyd both

asserted repeatedly * * * that such a pledge had been given and during three days' debate I did not hear him [Buchanan] deny it. *
* * From the first the proposition [to order Anderson back to Fort Moultrie] received my determined hostility and that of two other members of the cabinet. * * * Apprehending that the proposition would be adopted by Mr. Buchanan, my resignation was signed and ready to be delivered the instant the order should be made. * * * * *
* * The proposition to give up Fort Sumter was made by Floyd. Mr. Buchanan consulted his cabinet upon it, some of whom violently advocated it while others opposed it resolutely as a crime; and after several days' debate it was rejected. I asserted then to Mr. Buchanan, and assert now, that the surrender of Fort Sumter by the Government would have been, in my opinion, a crime equal to the crime of Arnold, and that all who participated in the act should have been hanged.

Knowing that other members of Buchanan's cabinet had been similarly besought by Mr. Schell, Stanton submitted the reply from which the foregoing extract is taken to Judge Holt. Holt's judgment was opposed to public discussion of the Buchanan administration by its chief participants during the progress of the war. Stanton adopted that view and did not send his reply, which was found among his papers after his death and identified by Judge Holt. Whether or not so intended, it is a terrible indictment of Buchanan, and one that never can be quashed.

CHAPTER XVII.

GIGANTIC BATTLE FOR THE UNION.

Thoroughly aroused by the thickening dangers around him, Stanton now sought the pressure of public opinion upon the President in favor of reinforcing the Southern forts and protecting Federal property in seceding States. He requested Henry Winter Davis, a representative in Congress from Baltimore, to prepare an address to the people to counteract the promise of Senator Iverson (of Georgia) that, if Maryland would secede with the other slave States, Washington should be continued as the seat of the proposed new slave government, and it appeared in the Baltimore *Patriot*. He also wrote to George Harding and others in Philadelphia to promote a Union mass-meeting, which was held on January 5 and attended by seven thousand citizens who adopted resolutions "heartily approving the conduct of Major Anderson, calling on the President to provide him with all the force he required for the defense of his position, and pledging themselves to protect the American flag to the last extremity."

Stanton, who had previously supplied to him a copy of the outline plans of secession,* formulated by the Southern leaders, laid a copy of the Philadelphia resolutions before the President, saying:

**First*—That in the event of a rupture with the United States Government, the authorities of South Carolina, in their sovereign capacity, immediately seize the fortifications and all defenses of the State harbors;

Second—That all forts, arsenals, dock-yards, barracks, etc., belonging to the United States, situated on the Southern coast, including fortifications from Cape Henry, in Virginia, to the southermost coast borders of Texas, be immediately seized by State troops, upon the first intimation of Government coercion upon South Carolina;

Third—That the telegraph, railroad, and stage stations in the interior districts be placed under the censorship and control of duly appointed State agents in their several localities;

Fourth—That intercommunication between the Southern and Northern ports be interdicted, so far as the introduction of articles contraband of war into Southern from Northern States may be concerned;

"This is the voice of the chief men in the chief city in your State. It is the sentiment you will hear from everywhere in the North and from most of the border States." Similar meetings were held in other large cities of the North, New York excepted,* strengthening the hands of Stanton, Black, and Holt.

A secret meeting of secession leaders in Washington, held simultaneously with the Philadelphia gathering, decided against the safety of postponing the formal act of secession beyond March 4, and resolved that all the slave States should secede at once and hold a convention at Montgomery, Alabama, for the formation of a new government. They also resolved that the Southern senators and representatives should remain in their seats at Washington as long as possible to "aid in the cause of liberty" by "exposing and thwarting measures hostile to the secession movement." Senators Jefferson Davis of Mississippi, John Slidell of Louisiana, and S. R. Mallory of Florida were chosen to carry the resolutions into effect.

Thousands of rooms in Washington were engaged by Southerners "until the fourth of March," the object being, Senator Louis T. Wigfall of Texas declared, "to have our friends on the ground in case of emergency." The "emergency" contemplated was the seizure of the national capital and archives previous to the inauguration of Lincoln. The command of the enterprise was to be in the hands of Major Benjamin McCulloch of Texas, who had already surveyed the city of Washington and otherwise prepared not only for its investment, but for "subsequently repelling Northern invasion."

The date fixed for the *coup d'etat* was Friday, February 15, when "the count of the electoral votes was to be interrupted and

Fifth—The expatriation from the Southern States of all Northerners and others who do not recognize the right of secession, or cooperate in secession movements;

Sixth—The seizure and confiscation of all goods contraband of war;

Seventh—The confiscation of the property of non-sympathizers;

Eighth—The defense of the State against foreign legions, come from what quarter they may.

*On the same day (January 7) Mayor Fernando Wood sent to the council a message advocating the secession of New York City, saying she would have the "united support of the Southern States."

the constitutional declaration of Lincoln's election prevented." That Stanton was aware of the program is indicated in the following:

Washington, January 16, 1861.

Dear Sir:

Your kind letter was received this morning, and I thank you for the confidence and regard it expresses for myself. You are right in supposing it to be my determination to do everything in my power to preserve and maintain this Government and the constitution under which the United States have been so prosperous. The means you indicate, I agree with you, are the proper ones for this emergency; and, as far as it is possible, they will be exerted.

I have an abiding faith that this Government CANNOT BE OVERTHROWN; that it was ordained of God, and that the powers of hell cannot prevail against it.

We may have trouble; the city of Washington *may be captured*; but every effort will be made to prevent that catastrophe, and even if it does happen, the revolutionists will be as far as ever from accomplishing the destruction of the Government, but much nearer to their own destruction.

So far from being indifferent to your advice, any suggestion of your wisdom and experience will be thankfully received. My aim is to perform my duty in the post to which I am called, and I shall be happy of any light to guide me, in the true path.

With the confidence and hope of the future, I remain,

Yours truly,

General William Robinson,

Edwin M. Stanton.

His efforts to rouse the North and rehabilitate the Government caused Henry J. Raymond to write to the *New York Times*: "Mr. Stanton is regarded as the backbone of the administration. He is believed to be at the bottom of the new policy of enforcing the laws which is driving out the secessionists." Thurlow Weed wrote from Washington: "While I was in the White House I looked over that new Attorney-General of ours. He is tremendous!" The correspondent (Horace White) of the *New York Tribune* wrote: "The marked change of policy is felt in the very air. It is Stanton."

On the 8th of January, Jacob Thompson resigned as secretary of the interior for the reason that, after the order to reinforce Major Anderson had been countermanded (on December 31) by Buchanan and a distinct promise given that no troops should be sent into the South before the subject had been considered and decided in the cabinet, Secretary of War Holt had ordered two hun-

dred and fifty troops in the *Star of the West* to reinforce Anderson, which was in violation of that agreement. The steamer sailed from New York on January 5, reached Charleston harbor on the 9th early in the morning, and was fired upon by order of Governor Pickens, who had been apprised of her coming and was prepared for the attack. She was forced to put out to sea and return to Fortress Monroe.

This brings up an illustration of Stanton's foresight. On the 3d of January he said to Holt: "That man from Mississippi [Thompson] is betraying us." Thompson had a large personal influence over the President and was remaining in the cabinet for the purpose of securing valuable information for his Southern friends. On resigning and returning to Mississippi, he made an address to his people in which he confirmed Stanton's opinion of him. "As I was writing my resignation," he said, "I sent a despatch to Judge Longstreet that the *Star of the West* was coming with reinforcements. The [South Carolina] troops were thus put on their guard and when the *Star of the West* arrived she received a warm welcome from booming cannon, and soon beat a retreat. I was rejoiced that the vessel was not sunk, but still more rejoiced that the concealed trick conceived by General Scott and adopted by Secretary Holt, but *countermanded by the President* when too late, proved a failure."

While several of the Southern States that had seceded were organizing and drilling militia and occupying Federal property, secession postmasters continued to make requisitions for supplies and postage stamps. Before honoring these requisitions the Postmaster-General asked Stanton to define the official status of postmasters in seceding States. He advised that the requisitions be honored, "if such postmasters would agree to obey existing postal laws and hold themselves responsible to the Government" as before, and the advice was followed.*

On January 24 the United States steamer *Brooklyn* sailed for Pensacola from Fortress Monroe with a company of artillery to reinforce Fort Pickens. On February 6 the steamer reached its destination only to meet a document from Secretaries Holt and Toucey countermanding the original orders and instructing Captain Israel

*The postal service was continued in the seceded States until June, 1861, the insurgents using it freely for the destruction of the Government which was maintaining it.

Vogdes not to land his troops or arms unless the fort should be attacked, or preparations made for an attack. This sudden change of base was due to the influence over Buchanan of Messrs. Mason, Slidell, and Hunter, together with that of Senator Mallory, who promised that Pickens should not be attacked if the President would agree not to reinforce it, and he agreed.

As such a bargain was as advantageous, almost, as an actual surrender of the fort to the secessionists, Stanton "earnestly opposed it." He urged that the South was "merely seeking time for more perfect war preparations; that if Pickens were not reinforced at once it could not be reinforced after hostilities had begun and that the result would be the loss of the fort." His argument was without effect, Buchanan ordering Secretaries Holt and Toucey, in writing, to send the instructions mentioned.

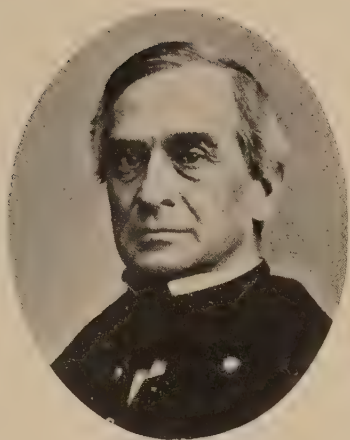
On the 23d of January Ex-President John Tyler arrived in Washington as commissioner from Virginia, bearing the compromise resolutions of his State to the President. Buchanan received him with condescension and promised to make the matter the subject of a special message to Congress. Mr. Tyler asked the privilege of "seeing and discussing the message before its transmission to Congress," and his request was granted!

Stanton was dissatisfied with that portion of it which declared that Congress alone possessed the power and authority to act in the present emergency, calling it an "abdication." Mr. Tyler, who saw the message before it was seen by Stanton or any loyal cabinet officer, also combated the idea that "suddenly the President had become no president—nothing but a figure-head." He said: "My message is to *you*. You are commander-in-chief of the army and navy in peace as well as in war." Mr. Tyler, however, did not succeed in securing a modification of the "abdication"; but subsequently Stanton did, the President contenting himself with saying that he had no power to tie the hands of Congress, although at the same time he asked that body to "abstain from any and all acts calculated to produce a collision of arms," himself having previously tied his own hands by the agreement of December 9 with the South Carolina congressmen and the subsequent bargain with Senator Mallory relative to Fort Pickens.

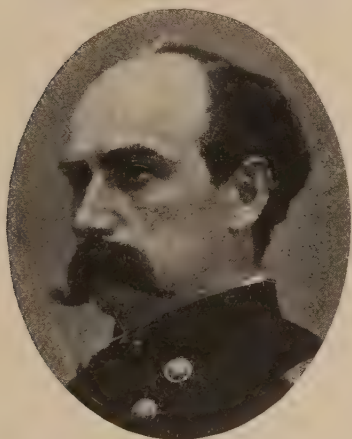
In that message he said that it was his "duty at all times to defend and protect the public property within the seceding States, so



ARCHBISHOP JOHN HUGHES.



GEN. ROBERT ANDERSON.



GEN. EGBERT L. VIELE.



GEN. JAMES A. HARDIE.



DR. FRANCIS LIEBER.



COL. CHARLES ELLET.

far as this may be practicable." To the last sentence Stanton, Holt, Dix,* and Black firmly objected. Stanton stated that the enforcement of laws and the defense of public property were "not matters of caprice or of political practicability, but of sworn, mandatory duty." Black was positive in the same direction, and the President drew his pencil through the sentence. When, however, on the 28th, the message, accompanied by the Virginia resolutions, was read in Congress, the objectionable words had been restored!

In moving that these documents be printed, Senator Mason of Virginia said, that any attempt on the part of the Government to collect the revenue in the South would be "an act of war," while with the next breath he declared that the "seizure by the seceding States of the arsenals and forts in the Gulf States was not war but merely an act of necessary prudence." At the same time Senator Iverson of Georgia gave notice that his State had abandoned the Union and warned the Senate and the administration that unless the independence of the seceding States was acknowledged at once "they would keep all the property in their hands and never pay one dollar of the common public debt." He also declared that "the first Federal gun," no matter for what purpose, "would cancel every public and private debt. We do not care in what form you move against us, no matter whether it be the collection of revenue or any other, we shall treat it as an act of war." Iverson's State was already out of the Union, yet he was participating in the Government from which he had withdrawn and against which he himself and his State were in rebellion!

On the same day Jacob Thompson and Senator Jefferson Davis guaranteed twenty-four thousand dollars for the purchase of arms. The record was now too strong for Stanton. He demanded that the senators and representatives from the States which had repudiated and withdrawn from the Union be arrested and imprisoned. However, the Federal machinery, the Federal courts, and the Federal capital were so thoroughly permeated with secession sentiments, that effective steps to carry out his ideas could not be taken.

On the 8th day of February the secession convention at Montgomery adopted a constitution; on the 9th elected and swore in Jef-

*Thurlow Weed says the appointment of John A. Dix, as secretary of the treasury to succeed P. E. Thomas, "was brought about by Edwin M. Stanton, who, alarmed at the state of things in the cabinet, was anxious to bring a loyal Democrat from the North into the Treasury Department."

ferson Davis to be "president," and Alexander H. Stephens to be "vice-president" of the "Confederate States of America," and fixed the 18th as the day for their inauguration.

Stanton received a program of the proposed installation ceremonies from his friend Judge Archibald Roane of Alabama. Reading it in cabinet consultation, he exclaimed: "Such a proceeding cannot be permitted to take place within the confines of this nation. It is not a mock affair, but an earnest and desperate effort to break up this Union. It is just as much our duty to save the country from destruction by slave-holding John Browns as by abolition John Browns."

Buchanan replied: "It is now too late; we are helpless," to which Stanton retorted:

It is never too late to save the country. We are not helpless. If we supinely permit some upstart to be elected and inaugurated as president at Montgomery, we shall have to permit the same performance here in Washington, if undertaken. If we permit the secessionists to seize the Federal property and archives in South Carolina and Alabama, shall we not be obliged to permit them to seize and use the Federal buildings and records here in Washington? Would you, Mr. President, abdicate if Davis should come, which he may do, and demand possession of the White House? Shall we offer no resistance if the secessionists come here and attempt to seize the public records? If we do not resist them there, we cannot resist them here. If you would not abdicate in Washington, you cannot abdicate in Charleston or Montgomery. Mr. President, there must be no so-called inauguration of another president while you occupy that high office, *never, never!*

Buchanan was unmoved and those who had concocted a plot to prevent the electoral count on February 15 and the inauguration of President Lincoln on March 4, were allowed to inaugurate their own so-called president on February 18 without even a protest from the Government. Not only so, but immediately after the Confederate inauguration, Buchanan, circumventing the Union members of his cabinet, sent a communication by R. M. T. Hunter advising Jefferson Davis to despatch commissioners to Washington and he "would be happy to receive them" and transmit their wishes to Congress! Davis testifies that he acted on that advice and sent a commissioner (M. J. Crawford) who, however, was unable to reach Washington until "too late to accomplish anything."

More than once Stanton informed the President that active proceedings against the Government certainly must be stopped. The reply was that the army and navy were in such a crippled con-

dition that nothing could be done. In answer he urged the President to ask Congress to strengthen the army and make it adequate to threatened emergencies, but without results. He thereupon went in person to his cousin, Benjamin Stanton (of Ohio), chairman of the House Committee on Military Affairs, and begged him to forthwith report a bill for an immediate increase in the number and equipment of the military forces. His cousin complied, but the Democrats largely opposed the measure, saying that if there were any real necessity for increasing the military strength of the country the President himself would urge Congress to do it!

And thus was chaos added to chaos, weakness to weakness, and the pathway to civil strife made broader and shorter.

On the 5th of March Stanton became a private citizen. His position had been one of extreme difficulty. Before he came into the cabinet secession moved forward with glee. To its leaders success appeared inevitable.* The President was in their confidence and indirectly contributing to their labors. William M. Boyce of Garfield, Virginia, one of the South Carolina congressmen, who, on December 9, 1860, made the written bargain with Buchanan at the end of several preliminary interviews, says: "Both the conduct and bearing of the President were and had been such as to make us feel sure of his sympathy and cooperation." The administration organ, the *Washington Constitution*, lauded secession incessantly from the moment Lincoln's election became known; called upon the South to "awaken and redress her wrongs," and demanded that Lincoln resign, receiving the while the support of Buchanan, who diverted to its disloyal columns the entire stream of Government advertising!

Thus, there was every reason for the secessionists, having substantial aid from Buchanan and the North, to anticipate victory, and if Stanton had not entered the cabinet and clung to it and

*Says General M. C. Meigs: "In January, 1861, when Mr. and Mrs. Jefferson Davis left Washington for the South, they rode together to give notice that they wished to retain their pew in Epiphany Episcopal Church. As they turned to go Mrs. Davis said with a confident smile: 'You keep the cushion, too, for we shall need it soon—when we come back.' Mr. Davis added: 'Yes, keep the cushion for us till we return.' And so they left us fully expecting to be back here within a brief period at the head of a nation which, in the meantime, they had broken in twain and reunited on a new basis."

fought in it to the end in spite of indignities, disagreements, false hopes, false words, betrayals, and broken promises, the Federal capital and its archives and the machinery of the Government would have fallen into their hands as planned; and Jefferson Davis instead of Abraham Lincoln would have been inaugurated in Washington and perhaps, as was hoped, without bloodshed!

CHAPTER XVIII.

LETTERS TO BUCHANAN—LINCOLN EXCORIATED.

As he returned to Wheatland (near Lancaster, Pennsylvania), after the inauguration of Lincoln, Buchanan requested Stanton to supply a record of the course of public events by means of a systematic correspondence. The letters written in response to this request were sent generally by mail, but sometimes confided to personal messengers. As, in July, August, and September, 1861, many letters failed to reach their destination, the correspondence for that reason was discontinued altogether.

These entirely private communications,* composed in the utmost freedom and confidence, have been savagely criticized because of the severity with which they describe the initial operations of the Lincoln administration, but the absolute truth of their essential statements cannot be denied.

The first letter mentions that Stanton was requested by W. H. Seward, secretary of state in Lincoln's cabinet, to draft a nomination of John J. Crittenden, a Democratic senator from Kentucky, to be a justice of the United States Supreme Court, with which request he says he complied. Lincoln desired to reward Crittenden for his "compromise" resolution, which proposed the absurd plan of prohibiting slavery forever north and granting it forever south of 36°, 30', and binding Congress forever from interfering with this hybrid arrangement; but there was such an outcry of opposition to the nomination that Stanton's draft was never sent to the Senate.

In the same letter he discussed General Scott's "Comments" on the evacuation of Fort Moultrie, saying, among other things:

The third point relates to what General Scott calls an informal truce entered into by you [Buchanan] with certain persons from the seceding States under which the reinforcement of Fort Sumter and Fort Pickens was suspended. My recollection of that transaction is that General Scott

*Published nearly in full in George Ticknor Curtis's *Life of Buchanan*.

and Mr. Holt *concurred with you* in that arrangement which, when proposed in cabinet, was *opposed by Judge Black and myself*.

He also makes a further disclosure concerning the matter:

In his conversation with me Mr. Seward mentioned that Mr. Lincoln and his cabinet, when this subject came up, would desire me to be present and also Mr. Holt. I told him that if ALL OF THE LATE CABINET were requested to be present I would have no objection; but I did not think it proper UNLESS ALL were present. He said that of course the invitation would be extended to ALL. As I never heard anything more on the subject, I suppose they have found it necessary to consult only Mr. Holt, who continues acting as secretary of war.

In his letter of March 14, he predicted that if the Lincoln administration should continue four years, changes would be made in the Supreme Court which would "affect its constitutional doctrines." In December following, Senator J. P. Hale presented a resolution in Congress ordering an inquiry into "the expediency of abolishing the present Supreme Court" and "creating a new one" to take its place. The effort failed, but its inception proves that Stanton was taking a remarkably accurate measure of the influences which were to shape future events.

His letter of April 11 contains the following:

There is great "soldiering" in town the last two days. The yard in front of the War Office is crowded with District militia who are being mustered into service. The feeling of loyalty to the Government has greatly diminished in this city. Many persons who would have supported the Government under your administration refuse to be enrolled. Many who were enrolled have withdrawn, and refuse to take the oath.

The administration has not acquired the respect and confidence of the people here. Not one of the cabinet or principal officers has taken a house or brought his family here. Seward rented a home "while he should continue in the cabinet," but has not opened it, nor has his family come. They all act as though they meant to be ready to "cut and run" at a minute's notice. Their tenure is like that of a Bedouin on the sands of the desert. This is sensibly felt and talked about by the people in the city, and they feel no confidence in an administration that betrays so much insecurity. And besides, a strong feeling of distrust in the candor and sincerity of Lincoln personally and of his cabinet has sprung up. If they had been merely silent and secret there might have been no grounds of complaint. But assurances are said to have been given and declarations made in conflict with the facts now transpiring in respect to the South, so that no one speaks of Lincoln or any member of his cabinet with respect and regard.

The facts about Sumter it is impossible to ascertain, for the reasons that have been mentioned, for no one knows WHAT TO BELIEVE. The nearest conjecture I can form is this:

First—That the *Baltic* has been sent with provisions for Sumter;

Second—That the *Powhattan* has been sent with forces to land and attack the battery;

Third—That a secret expedition, independent of General Scott, has been sent, under charge of [Captain G. V.] Fox to make an effort to land in the night at Sumter.

The refusal of Governor Pickens to admit Captain Talbot to Sumter may prevent concert of action with Major Anderson, and I think the whole will prove a failure. There is no excitement here. People are anxious, but the sensational telegrams sent from here are without foundation. It is true, however, that Ben McCulloch* has been here on a scouting expedition, and he carefully examined all the barracks and military posts in the city, and said he expected to be in possession of the city before long. He stayed all night at Dr. Gwin's. This has a business aspect. It is believed that a secession ordinance will be passed in the Virginia convention to-day.

The Dr. Gwin above referred to is W. M. Gwin, a man of remarkable energy and ability, whose term as United States senator from California had just expired.

In his letter of May 16, Stanton mentions that Franklin Square, on which his house fronted, had been filled with soldiers and hospitals and he had therefore moved his family—Mrs. Stanton being in delicate health and affected by the uproar—to a rented house on H Street.

His letter of May 19, in full, is as follows:

You will see in the New York papers Judge Campbell's report† of the negotiations between himself and Mr. Seward, to which I referred in my letter of last week. They had been related to me by the Judge about the time they closed.

*McCulloch was selected to lead the raid planned for the capture of Washington and its archives on February 15, previous to the "constitutional declaration" of Lincoln's election, which, on exposure, was abandoned. On February 16, in collusion with its commander, General D. E. Twiggs, he seized the United States fort at San Antonio, Texas, with all its arms and treasure.

†Justice J. A. Campbell, of the Supreme Court, who conducted the negotiations between the Lincoln administration and the Confederate commissioners, and transmitted to the latter the Washington pledges of non-intervention which were not kept, made a formal report to Jefferson Davis in order to clear himself from the imputation of having been a party to "diplomatic chicanery."—See Confederate records.

Mr. Seward's silence will not relieve him from the imputation of deceit and double-dealing in the minds of many, though I do not believe it can justly be imputed to him. I have no doubt he believed Sumter would be evacuated, as he stated it would be; but the war party overruled him with Lincoln, and he was forced to give up, but he could not give up his office. That is a sacrifice no Republican will be apt to make. But this correspondence shows that Mr. Frederick W. Seward was not in the line of truth when he said that "negotiations ceased on the fourth of March."

The New York *Evening Post* is very severe on Judge Campbell, and very unjustly so, for the Judge has been as anxiously and patriotically earnest to preserve the Government as any man in the United States, and he has sacrificed more than any other Southern man rather than yield to the secessionists. I regret the treatment he has received from Mr. Seward and the *Post*.

Nothing new has transpired here since my last letter. I am convinced that an attack will be made and a battle fought for this city before long.

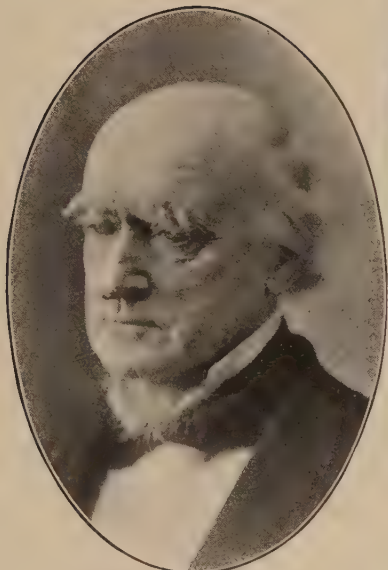
In his letter of July 16 Stanton urged Buchanan not to publish at that heated period the volume (popularly known as "Buchanan's Defense") prepared by himself in defense of his administration, as, if it should have any effect, it would be that of inciting still further attack, and declared:

So far, however, as your administration is concerned, its policy in reference to both Sumter and Pickens [which Stanton strenuously opposed] is fully vindicated by the course of the present administration.

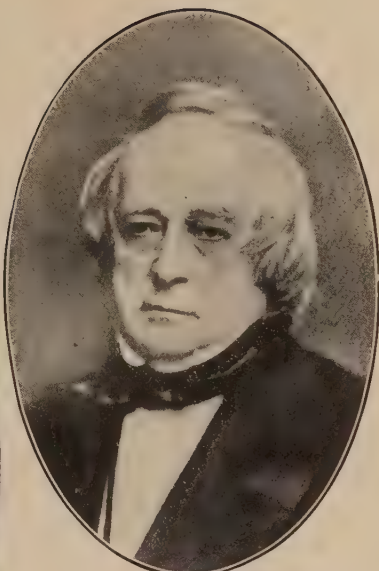
For forty days after the inauguration of Lincoln no use was made of the means that had been prepared for reinforcing Sumter.*

A Republican senator informed me a short time ago that General Scott personally urged him to consent to the evacuation of both Sumter and Pickens; and it is a fact of general notoriety, published in all the papers at the time and never contradicted, that not only the General, but other military men who were consulted, were in favor of that measure. Whatever may be said of Bennett's malignity now, I think that the public will be disposed to do full justice to your efforts to avert the calamity of civil war; and every month for a long time to come will, I am afraid, furnish fresh evidence of the magnitude of that calamity.

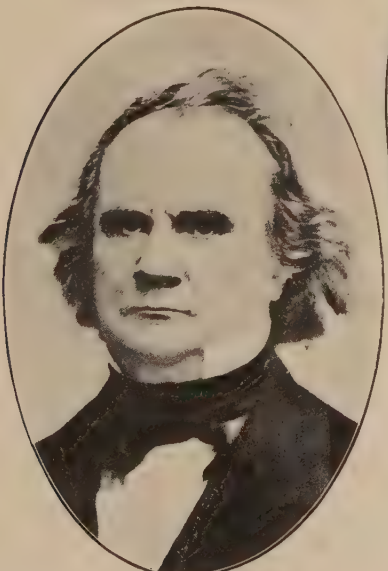
*Says General John E. Wool: "When Mr. Stanton left the Buchanan cabinet, such ships as we possessed had been brought to our shores and were ready for orders and the arms and munitions of war in every arsenal in the North had been inspected and were at the doors ready for instant shipment. It was supposed that the new administration would want to have in a condition of immediate availability all our machinery for national defense and would at once put it to use. When Mr. Stanton found that in this he had been mistaken, he was more angry with Lincoln than he ever had been with Buchanan or Buchanan's secession advisers, because he supposed that Lincoln was embarrassed by no secession entanglements and would act decisively to save the Union."



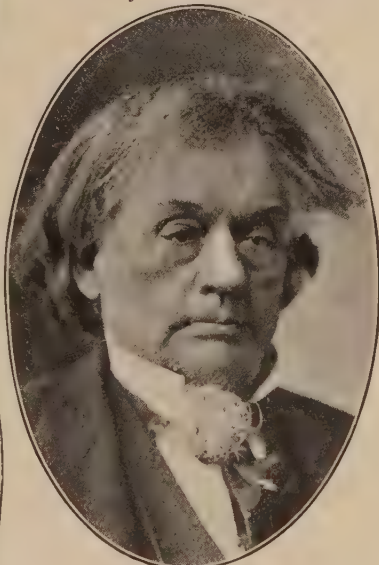
JUDGE JOHN A. CAMPBELL.



JOHN SLIDELL.



JAMES M. MASON.



ROBERT TOOMBS.

The last of the letters that reached Buchanan is dated July 26. Since it is the one which has been most severely criticized, it is given (the formal opening and closing paragraphs omitted) in full:

The dreadful disaster of Sunday [Battle of Bull Run] can scarcely be mentioned. The imbecility of this administration has culminated in that catastrophe, and irretrievable misfortune and national disgrace are to be added to the ruin of all peaceful pursuits and national bankruptcy as the result of Lincoln's "running the machine" for five months.

You perceive that Bennett is for a change in the cabinet, and proposes for one of the new cabinet Mr. Holt, whose opposition to Bennett's appointment* was so bitter and intensely hostile. It is not unlikely that some changes in the War and Navy Departments may take place, but none beyond these two Departments until Jefferson Davis turns out the whole concern.† The capture of Washington seems to be inevitable. During the whole of Monday and Tuesday it might have been taken without resistance. The rout, overthrow, and utter demoralization of the whole army is complete. Even now I doubt whether any serious opposition to the entrance of the Confederate forces would be offered. While Lincoln, Scott, and the cabinet are disputing as to who is to blame, the city is unguarded and the enemy at hand.

General McClellan reached here last evening. But, if he had the ability of Cæsar, Alexander, or Napoleon, what can he accomplish? Will not Scott's jealousy, cabinet intrigues, and Republican interference thwart him at every step? While hoping for the best, I cannot shut my eyes against the dangers that beset the Government, and especially this city.

Chaos, secret negotiations, and indecision prevailed at Washington; and feebleness and longing for justification at Wheatland. Stanton gathered the crop as it grew and served it to suit the palate and condition of his distinguished correspondent. The new administration was drifting, dodging, and negotiating precisely as Buchanan had done, which meant dissolution of the Union without resistance; and, although he detested such a course, and studiously refrained from expressing in his letters a direct opinion about it,

*James Gordon Bennett, of the New York *Herald*, desired the appointment of Minister to France.

†General L. T. Wigfall wrote to a friend in Washington, who disclosed the communication to Stanton, that the Confederate plan was to mass 100,000 men on the Potomac and, when perfectly prepared, to capture the Federal capital, President Lincoln and all, by a sudden descent and then, if necessary, march on to Philadelphia. The indications at that moment were that the plan could be successfully executed. A steamer was tied at the wharf ready to flee with Lincoln if Lee should enter the city as planned.

Stanton was bound to exploit the fact as a "Republican vindication" of the wretched policy of his former chief.

To others he wrote the real feelings of his heart, as is amply shown by the following:

Washington, June 11, 1861.

My dear Sir:

It gives me great pleasure to know that in the midst of arduous duties you still bear me in kind remembrance. The meeting of the 24th of April in New York has become a national epoch; for it was a manifestation of patriotic feeling beyond any example in history. To that meeting,* the courage it inspired, and the organized action it produced, this Government will owe its salvation, if it can be saved. To the general gratification at your position as chairman of the Union Committee, there has been added in my breast a feeling of security and succor that until that time was unknown.

No one can imagine the deplorable condition of this city and the hazard of the Government who did not witness the weakness and panic of the administration, and the painful imbecility of Lincoln. We looked to New York in that dark hour as our only deliverance under Providence, and, thank God, it came.

The uprising of the people of the United States to maintain their Government and crush the Rebellion has been so grand, so mighty in every element, that I feel it a blessing to be alive and witness it!

The action of your city especially filled me with admiration, and proves the right of New York to be called the Empire City. But the picture has a dark side—dark and terrible—from the corruption that surrounds the War Department, and seems to poison with venomous breath the very atmosphere.

Millions of New York capital, the time, strength, and perhaps lives of thousands of patriotic citizens will be wasted to gorge a ravenous crew.

On every side the Government and the soldiers are pillaged. Arms, clothing, transportation, provisions, are each and all subjects of speculation† and spoil. On one side the waves of treason and rebellion are dashing; on the other is the yawning gulf of national bankruptcy.

*A great non-partisan gathering at which large sums of money and all other forms of aid were pledged to the Government.

†A few days previously a descent was made on the records in all telegraph offices, by which a great network of treasonable and corrupt practices was disclosed. It involved thousands of persons in high public and private stations theretofore supposed to be loyal, and was calculated to sicken and discourage the strongest patriots. L. T. Wigfall of Texas left the United States Senate, opened recruiting offices in Baltimore and Washington, under Confederate commissions, and by March 16 was telegraphing to General Beauregard with unmolested freedom, from Washington, concerning his recruits and the means of transporting them to the South—an astonishing historical fact!

Our cause is the greatest that any generation of men was ever called upon to uphold. It would seem to be God's cause, and must triumph. But when we witness the venality and corruption growing in power every day and controlling the millions of money that should be a patriotic sacrifice for national deliverance, and threatening the treasure of the nation as a booty to be divided among thieves, hope dies away.

Deliverance from this danger also must come from New York. Those who are unwilling to see blood shed, lives lost, treasure wasted in vain, must take speedy measures to reform the evil before it is too late.

Of military affairs, I can form no judgment. Every day affords fresh proof of the design to give the war a party direction. The army appointments appear (with two or three exceptions only) to be bestowed on persons whose only claim is their Republicanism—broken-down politicians without experience, ability, or any other merit. Democrats are rudely repulsed and scowled upon with jealous and ill-concealed aversion. The Western Democracy are already becoming disgusted, and between the corruption of some of the Republican leaders and the self-seeking ambition of others, some great disaster may soon befall the nation. How long will the Democracy of New York tolerate these things?

The navy is in a state of hopeless imbecility, and it is believed to be far from being purged of the treachery that has already occasioned so much shame and dishonor.

In respect to domestic affairs, Mrs. Stanton and I hoped to visit New York last month, but the critical state of affairs made it hazardous to leave our children, and we cannot take them with us. With the enemy still at our gates we cannot venture to leave home. We hoped to see you here, especially after you had received the appointment of major-general. But now that the administration has got over its panic, you are not the kind of a man that would be welcome.

There are many details that I could give you in regard to proceedings here, but it is painful to think of them and to write them down would be a tedious and disgusting task. I hope our cause may triumph despite the low passions and mean intellects that now weigh it down. But whatever may be our fate, I shall always be happy to be your esteemed friend. Mrs. Stanton and our pet are well, and join in expressions of regard.

Yours truly,

The Honorable John A. Dix.

E. M. Stanton.

The foregoing is a Stanton letter, not a Buchanan letter. It is not guarded and halting, speaking gingerly of "policy," "vindication," and "defense," but heroic, virile, and patriotic, disclosing the real Stanton, the Hercules who had turned the ship about in the midst of the storm and rescued it at the brink of disunion. It is the Stanton, who, having advised Seward on March 5, the day following the inauguration, that "everything the Government possesses for the defense has been put in shape for instant use," was disgusted and angry because Lincoln made no attempt "for

forty days," as he says in one of the foregoing letters, to take advantage of that preparation, during every moment of which delay secession was gaining in strength and the Confederacy increasing its store of war munitions and its enlistment of soldiers. It is the Stanton who, having pointed out to Seward that while Buchanan had been without popular backing (the Democratic party in the North divided, the Republican party solidly hostile, and the South withdrawn into secession) Lincoln had firm ground on which to stand and ought to take decisive steps to preserve national integrity, yet saw with alarm and indignation no steps taken, no affirmative effort put forth to rescue the Union. It is the Stanton who had protested aggressively against Buchanan's secret negotiations with secession agents and put a stop to them. It is the Stanton who had heard the Republican party unanimously denouncing the negotiations with secession commissioners as one "tainting the outgoing administration with treason" and then beheld Lincoln, while doing nothing to reinforce the Southern forts, taking up anew, through his own law partner (Ward H. Lamon) and a justice of the United States Supreme Court (John A. Campbell) the tainting threads of a more offensive, humiliating, and formal negotiation with the Confederacy than any he had forced Buchanan to drop.

But why amplify? The essential averments of these letters to Buchanan and Dix are amply sustained by public records and fully establish: (1) That an "arrangement" was "negotiated" between Buchanan and "certain persons from seceding States under which the reinforcement of Sumter and Pickens was suspended"; (2) That this arrangement was denounced and "vehemently opposed" by Stanton as attorney-general; (3) That Lincoln resumed and broadened the "negotiations" with the secessionists which his party had characterized as treason on the part of Buchanan; (4) That the Lincoln administration repeatedly and in writing pledged the Confederates that Sumter would not be reinforced but should be evacuated, and broke the pledge; (5) That Stanton's characterizations of these acts and of the administration (not excluding the one alleging the "painful imbecility of Lincoln") were at that moment warranted; and finally, (6) That when he denounced the opening operations of the Lincoln administration at the same time that he described them as a "continuation" of Buchanan's idea, he condemned Buchanan in the most diplomatic and unanswerable way known to correspondence.

These letters are, in short, ample evidence from within that in the times of Buchanan and Lincoln, when others were doubting, drifting, negotiating, and prevaricating, he entertained clear and solid notions of the sufficient powers of the Government to meet the perilous crisis into which it was being rushed and to defend its life, and was full of wrath against those who, sworn to administer its affairs and preserve its integrity, were too weak, or too much tainted, or too cowardly to perform the great tasks which confronted them.

CHAPTER XIX.

RESUMES THE LAW—APPOINTED WAR MINISTER.

While the preceding correspondence was passing, Stanton resumed the practise of his profession, his first cases of importance coming from C. H. McCormick, against whom, for years hitherto, he had been successfully contending. The reaper business had grown to enormous proportions in America and Europe, and McCormick wanted his patents of 1845 and 1847 extended to protect it.

During the argument on these extension cases, which is still remembered in Washington, Stanton formulated his famous tribute to McCormick, whose "services to mankind and civilization," he said, were "vastly beyond those of aggrandizers and conquerors. His were the beneficent and everlasting victories of peace, and the world owed to their author an adequate reward." For illustration he showed upon the map how "McCormick's invention in Virginia, thirty years before, had carried permanent civilization westward more than fifty miles a year." For further illustration he referred to the Rebellion then sweeping over the country and filling the air with shout and shock and the alternating reports of victory and defeat and declared:

The reaper is as important to the North as slavery to the South. It takes the place of the regiments of young men who have left the harvest fields to do battle for the Union, and thus enables the farmers to keep up the supply of bread for the nation and its armies. McCormick's invention will aid materially to prevent the Union from dismemberment, and to grant his prayer herein is the smallest compensation the Government can make.

But it was too late. His own previous efforts against McCormick had charged public sentiment with great hostility, and the desired extension was not granted.

In the meantime, while acting as attorney for General Scott and Secretary Cameron, he was also confidential counsel for Gen-

eral John A. Dix. Almost immediately after Dix (who had been secretary of the treasury in Buchanan's cabinet) was appointed major-general and stationed at Baltimore, his forces were detached and he was left with practically no command beyond his staff. The newspapers commented with severity on this treatment of a distinguished patriot, and finally Dix himself asked Stanton to learn from the Secretary of War "why he had been side-tracked in such a humiliating manner." Stanton, in his reply, dated September 9, 1861, stated:

After a week of unsuccessful effort, I obtained last evening an interview with the Secretary of War, and exhibited to him your letter with Adjutant-General Thomas's endorsement thereon, and made the inquiry you desired. He answered that he could not certainly tell whether he had ever seen the paper before, but rather thought not; that he had not made any order on the subject (though it is probable he may have done so and forgotten it) and that if he *did* make the order it was from information by the Adjutant-General.

He further said that if you desired he would submit the question to General Scott and act according to his opinion; and he desired me to assure you of his sincere regard, and that he would under no circumstances do anything intentionally to your prejudice. I have retained your letter in order to have it referred to General Scott, if you desire the matter to take that course. Please instruct me on the subject.

The late attacks on the cabinet, and especially on the War Office do not appear to have produced much effect. There is no sign of any change.

Neither the offensive order depriving Dix of his soldiers nor his protest against it, is on file in the War Department; but it is known that Stanton's effort to secure a modification of the order was successful.

A few weeks later a simple incident developed unexpected and momentous results. On the 13th of November, 1861, Colonel John Cochrane of New York delivered a speech to his regiment, then quartered within a mile of Washington, in which he advocated that "we should take the slave by the hand, placing a musket in it, and bid him in God's name strike for the liberty of the human race." Secretary Cameron was present and approved the sentiment, which provoked much denunciatory comment and was extremely distasteful to Lincoln.

Secretary Caleb B. Smith* undertook the task of chastising the Secretary of War, who not only did not recede but inserted in

*Of the Department of the Interior.

his annual report, which he was at that moment preparing, an explicit recommendation in favor of arming Africans. Before transmitting it to the President, however, he submitted the document to Stanton and asked for counsel particularly upon the clause recommending "arming slaves of rebels." Stanton approved the recommendation but suggested and wrote this additional paragraph which Cameron adopted and inserted:

Those who make war against the Government justly forfeit all rights of property, privilege, and security derived from the constitution and the laws against which they are in armed rebellion; and, as the labor and service of their slaves constitute the chief property of the rebels, such property should share the common fate of war to which they have devoted the property of loyal citizens. * * * It is as clearly the right of this Government to arm slaves when it may become necessary as it is to use gunpowder or guns taken from the enemy.

On Saturday, November 30, Cameron presented his report to Lincoln and sent advance copies of it to the leading newspapers. On Monday, Lincoln discovered the recommendation to arm slaves of rebels and suggested its excision. The Secretary did not yield and another conference followed with the same result, except that Lincoln announced that he should not send the report to Congress until he himself had stricken out the clause favoring the arming of slaves, unless it should otherwise be expunged.

"Very well," said Cameron, "but the copies I have sent out will stand." They did, indeed, stand, and were published by the newspapers as they stood; but Lincoln, sustained by the remaining members of the cabinet (except Chase), expunged the slave-arming clause before transmitting the report to Congress; so that the public received one recommendation and Congress another.

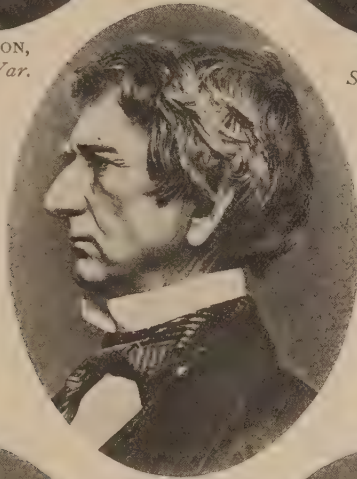
Cameron then understood that he could not remain much longer in the cabinet; but, as he refused to resign "without knowing who his successor would be," and as his expurgated recommendation was sustained by the great active war party of the North, Lincoln hesitated to remove him. Finally the plan of sending him as minister to Russia was conceived, but to find a suitable successor was perplexing. Lincoln wanted Joseph Holt while Secretary Seward (at the suggestion of Peter H. Watson) urged the appointment of Stanton who, unaware of the proposed change, was at that moment preparing to establish himself in New York as the law partner of S. L. M. Barlow. The matter was under discussion but a



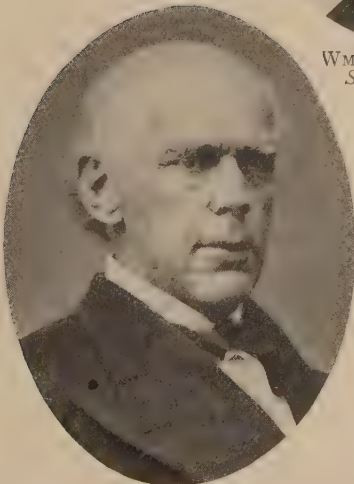
SIMON CAMERON,
Secretary of War.



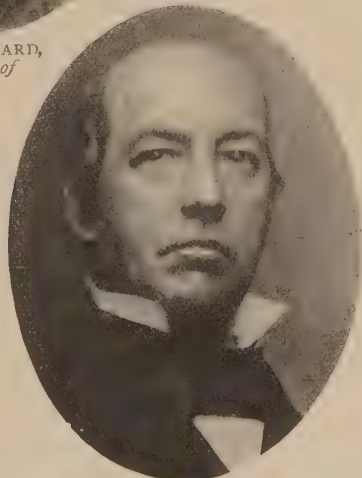
JOHN P. USHER,
Secretary of Interior.



WM. H. SEWARD,
*Secretary of
State.*



SALMON P. CHASE,
Secretary of the Treasury.



CALEB B. SMITH,
Secretary of Interior.

MEMBERS OF LINCOLN'S CABINET.

few hours. As the ruling influences quickly concentrated in favor of Stanton, Lincoln submerged his personal preference and agreed that Stanton should be the man chosen.*

"I remember very well when the President was hesitating between Judge Holt and Mr. Stanton," says General E. D. Townsend. "I think it was the Saturday (January 11) before the latter's selection was made that Mr. Stanton visited General Scott in his office opposite the War Department. The General had drawn up his will, which was complicated by the fact that part of his property was in the seceded State of Virginia, and he wanted to consult Mr. Stanton about it. General Scott thought highly of him, and threw his influence in the direction of the final decision."

"Tell the President I will accept," said Stanton when consulted, "if no other pledge than to throttle treason shall be exacted."

Thus Stanton's call to the War Office was as sudden and unexpected as the summons to become attorney-general in Buchanan's cabinet. The question arose on the 11th of January, and on Monday, the 13th, his nomination was sent to the Senate. Senator Sumner, at the executive session later in the day, moved immediate confirmation "because," he said, "Mr. Stanton does not agree with those who want the war so managed as to save slavery no matter what else may result, but believes that the war should be prosecuted to save the Union and that everything necessary should be made to contribute to its success." As there was objection, the motion was withdrawn and a committee of Republicans was raised to "investigate Stanton's loyalty." The report came forthwith that he was "all right," and his confirmation and a commission from the President followed on the 15th.

Interesting, indeed, is the fact that Lincoln was unaware that the iron-willed giant he was putting in was more stubbornly in favor of enlisting and arming the slaves of rebellious masters than the man he was putting out. Lincoln was also unaware that the recommendation which, with his own hand, he had expunged from Cameron's report and which was the means of forcing its supposed author out, was conceived and written by the very man now going in—but so it was; and so it may be said that Stanton wrote his own appointment!

*Montgomery Blair, postmaster-general, was the only member of Lincoln's cabinet who opposed the appointment of Stanton.

CHAPTER XX.

WORK FOR A TITAN.

The situation of the nation at the time Stanton became secretary of war was critical. Eleven old and wealthy States in active and enthusiastic rebellion had planted their capital almost within cannon-shot of Washington, which stood on the fringe of rebellious territory. Several border States, the very garden of the Republic, were divided—one side sending thousands of soldiers to fight for the Confederacy and the other side thousands to fight for the Union.

The North itself was contentious, a considerable portion of its people sympathizing and siding with secession. Enlistments were on the wane. The Mississippi River was blockaded in the southwest and the Potomac in the east. The streets and resorts of Washington swarmed with military officers who should have been at the front. A majority of the residents of the District of Columbia, the chief banking institution at the Federal capital, and hundreds of Government employes were secret aiders and abettors of secession. The banks of the nation had suspended specie payment. Many divisions of the army had passed several pay-days without meeting the paymaster. Quantities of goods consumed by the armies and the people and even flag materials were purchased abroad, thus sending the product of the California gold mines to European banks which, refusing financial aid to the North, subscribed for all the Confederate securities that were offered.

France and England were watching for an excuse to recognize the Confederacy as an independent nation; Government expenditures were a quarter of a billion above the highest estimates and still increasing; national credit was weakening; army contractors and speculators were looting the Treasury and robbing the soldiery; Lincoln was gloomy, and over the rocking Republic shadows hung low and dark.

In the War Office was found a continuation of the chaos that prevailed without, Colonel A. P. Heichold of Pennsylvania says

that "on the day Stanton was sworn in, his Department resembled a great lunatic asylum more than anything else," but Secretary Cameron was not the full author of the chaos. Lincoln had been at logger-heads with his war minister, while Seward, assuming a wide range of military power which belonged exclusively to the War Department, added to the general demoralization by arresting so-called "State prisoners" and formulating the domestic as well as foreign war policy of the administration.* Thus, Stanton found the entire prospect beset with difficulties.

On the day of his confirmation he consulted with the "committee on loyalty of Federal employes" in order to learn who in his Department and who generally in the service could be trusted and who must be arrested or dismissed. On the day he was sworn in he "*Ordered*: That the War Department will be closed Tuesdays, Wednesdays, Thursdays, and Fridays against all business except that which relates to active military operations in the field. Saturdays will be devoted to the business of senators and representatives; Mondays to the business of the public." Also that "the Secretary of War will transact no business and see no person at his residence." On the same day he met the Joint Committee on the Conduct of the War and the military committees of both Houses at his own request, to secure the benefit of whatever information they might impart and bring the legislative into cordial working line with the executive branch of the war-power and keep it there. "We must strike hands," he said to Chairman Wade, "and, uniting our strength and thought, double the power of the Government to suppress its enemies and restore its integrity."

On the following day, January 22, he requested the cabinet (W. H. Seward, secretary of state; Salmon P. Chase, secretary of the treasury; Gideon Welles, secretary of the navy; Edward Bates, attorney-general; Montgomery Blair, postmaster-general; Caleb B. Smith, secretary of the interior), individually and collectively, to contribute whatever aid or suggestion might be deemed advisable to strengthen his hands, and shouted his first order to the army in

*In his testimony before an investigating committee of Congress, Stanton observed significantly in reply to a question as to Seward's usurpations: "I believe that Mr. Seward at one period of the war, prior to my becoming secretary, exercised considerable military power. I considered myself, as secretary of war, to be in charge of the military department and Mr. Seward in charge of the civil department."

the form of a message of thanks and praise for the "brilliant victory achieved by the United States forces over a large body of armed traitors and rebels at Mill Spring, in the State of Kentucky."

Thus he went swiftly from point to point, touching them all as with a rod of fire, until the magic of his influence reached every Department of the Government, both branches of Congress, every division and camp of the army, every monetary center,* every community of patriots, and every captive in an insurgent prison.

*The financial reports from New York and the leading monetary journals announced a "marked upward turn and advanced strength" in Government securities "owing to the change in the War Department at Washington and the energetic character of the new incumbent."

CHAPTER XXI.

OPENING INTERCOURSE WITH McCLELLAN.

On page 163, Volume II., "Battles and Leaders of the Civil War," George B. McClellan says: "I had never met Mr. Stanton before reaching Washington in [July 26] 1861. *He at once sought me and professed the utmost personal affection.*"

McClellan was not sought by Stanton "at once" nor at any other time. He never met him until November, 1861, and then professionally at McClellan's own request. On November 8, 1861, Captain Charles Wilkes of the United States war-ship *San Jacinto*, boarded the British mail steamship *Trent* with an armed force and secured the persons and baggage of James M. Mason and John Slidell, envoys of the Confederate "government" to England and France and bearers of contraband despatches, and took them to Fort Warren, near Boston. England, strongly disposed to espouse the cause of the rebellious States, sent ships and soldiers to Canada to reinforce any diplomatic correspondence which might arise with Washington, unofficially threatened to seize Portland, Maine, and demanded the release of the prisoners. S. L. M. Barlow of New York states how this affair brought Stanton and McClellan together:

I was in Washington at the request of General McClellan. The Mason and Slidell imbroglio was under consideration and the General had been asked to attend a cabinet meeting the next day when the question as to their retention or surrender would be determined. He asked my opinion as to our right to hold them. I replied that the matter was so serious that I preferred to ask some other lawyer to aid me. He asked, "Whom would you go to?" I answered, "To Mr. Stanton, who is an able lawyer." He assented to this, *though he did not know Mr. Stanton.*

I spent the morning with the latter and after a careful examination of the question, we both agreed that our right to hold Mason and Slidell was doubtful; that it was plain we must surrender them unless the Government was prepared for immediate hostilities with England. I made the report to General McClellan, who was much inclined, nevertheless, to hold the envoys and risk a war with England. The same evening I presented Mr. Stanton, which was *the beginning of their acquaintance.* From that evening for

a week or thereabouts Mr. Stanton was consulted by the General every day and sometimes both in the morning early and in the evening.

One part of Judge Barlow's statement is proven by McClellan's letters to his wife, which mention frequent visits to Stanton's house during November. On the 17th he wrote: "I shall try again to write a few lines before *going to Mr. Stanton* to ascertain the law of nations relative to the seizure of Mason and Slidell." On the 24th he wrote: "I am concealed at Stanton's to avoid all *enemies* in the shape of browsing Presidents," etc.

Thus is the falsity of McClellan's opening statement that in July, 1861, Stanton "at once sought him" established by his own and other private correspondence, together with the further fact that he himself was the seeker "every day and sometimes both in the morning early and in the evening." While this "seeking" was going on, the following correspondence passed:

New York, November 21, 1861.

Dear Sir:

I am glad to learn by the papers of to-day that there has been a collision of sentiment between Cameron and Smith. Such quarrels should be fostered in every proper way, though the General [McClellan] must, if possible, keep entirely free from them.

Since my return home I have met hundreds of our most prominent citizens, and my ability to speak with confidence as to the power of our army, and especially my entire belief in McClellan, have enabled me, I think, to be of real service. I have been of course very careful not in any way to undertake to represent McClellan's views in any respect, while the fact that I saw so much of McClellan most effectually closes my mouth on the subject of his movements, though in fact I really know nothing.

If you learn anything as to the Mason-Slidell case which you can properly communicate, let me hear from you.

Public opinion here is pretty well settled in favor of our right, but at the same time we do not want another war or even a serious diplomatic correspondence, and I would knuckle a little to John Bull, waiting for some time to pay him back.

This is of even more importance, in view of the undoubted fact that Louis Napoleon is inclined to put his finger in our pie, than it otherwise would be.

Yours very truly,

S. L. M. Barlow.

The Honorable Edwin M. Stanton,
Washington, D. C.

Washington, D. C., November 23, 1861.

Dear Sir:

Yours of the 21st reached me this morning. Nothing has transpired



SAMUEL L. M. BARLOW.

in respect to the *Trent* affair. I saw the General [McClellan] last evening. He was well and much pleased with his late review. Lord Lyons [the British minister] did not attend; all the others of the diplomatic corps were there. I mentioned the Smith and Cameron affair* in yesterday's note and I perceived this morning allusion to it in the papers. Cameron, Chase, and Seward are said to agree on the negro arming question. Smith, Blair, and Lincoln contra.

I think the General's true course is to mind his own Department and win a victory. After that all other things will be of easy settlement.

S. L. M. Barlow, Esq.

Yours truly,
Edwin M. Stanton.

The foregoing Barlow letter discloses that the politicians of the party to which McClellan belonged were already engaged in an effort to hamper and break down the administration by promoting quarrels among its members, the beneficiary of which was to be McClellan himself, although, "if possible, he was to keep entirely free from them." But Stanton, belonging to the same party, condemned such efforts during a period of national distress and desired McClellan, instead of dabbling in politics, to "mind his own Department and win a victory."

On page 159 of his "Own Story" McClellan states that Stanton "no doubt made use of his pretended friendship for me to secure his appointment" as secretary of war; and elsewhere, that "he climbed on my shoulders only for the purpose of throwing me down." The following extracts from a letter to S. L. M. Barlow, written January 7, 1862, four days before the appointment was decided upon, show that Stanton had no intimation of a change in the War Department, and that the insinuations to the contrary are pure fiction:

From the day you left here until the present time there has been no improvement in public affairs, save General McClellan's accession to chief command, but his illness has in a great measure prevented the good consequences which might have resulted from that event. His health is now improving.

Your anticipation that he would be assailed by certain parties, I think, is well founded. No direct assault upon him has yet been made, but there have been several indirect lunges, the object whereof cannot be mistaken. Fremont is now here and divers rumors abound as to the designs of his partisans; whether any of them be true or not, time only will show.

*The "Smith and Cameron affair" resulted, a few days later, in putting Stanton into the cabinet. See Chapter XIX.

The surrender of Mason and Slidell was a political necessity, but I doubt whether it will avoid war. My private advices from England represent a nearly unanimous and almost frantic hostility of the English people to our Government, which the power of the ministry cannot restrain, if it desired so to do. The French feeling is no better. The fact is that there seems to be an outbreak of hostility against our republican form of government, combined with a bitter contempt for the administration, which induces foreign powers to seize the chance of the hour to destroy us. On our part there appears no consciousness of the dangers, or ability to avoid them. Seward says, "all's well," and that is enough for the Republicans.

Thus McClellan's assertions that Stanton "climbed on his shoulders only for the purpose of throwing him down" and "made use of his pretended friendship for me to secure his appointment" as secretary, are seen to be absolute fabrications.

On Wednesday (January 15) Stanton was confirmed and next morning proceeded to headquarters to open the day with a conference with McClellan. He was accompanied by General Stewart Van Vliet, a member of McClellan's staff.

McClellan's headquarters were on Jackson Square, where he held a "levee" with his staff at 10 every morning and another at 9 every night. He was preparing to hold one of these fantastic functions when Stanton's card was sent up, but continued to dawdle with his aides, orderlies, and other satraps, thus keeping his distinguished caller in waiting the full hour required for this tawdry nonsense. General Van Vliet says Stanton was very much incensed and inquired "what sort of a commanding general the country had." Under the previous regime, after the accession of McClellan, the Secretary of War had been little more than a clerk. The grand moving, or unmoving power in Washington was the General-in-Chief, and his first step, after Stanton's appointment, was to give the new Secretary a lesson in subordination, which, says General Van Vliet, "brought destruction to its author."

On Monday, January 20, "all the officers in the regular service called upon the new Secretary of War according to custom," headed by McClellan. At the conclusion of the introduction, Stanton addressed his callers:

I do not attempt to conceal the pleasure I feel at meeting so fine and capable a body of men; yet we are not here for personal pleasure or gratification, but for a great and holy purpose. Our Government is assailed and our country is in peril. We have been called upon to save them and we

must, we shall, be equal to the call. It is my work to furnish the means, the instruments, for prosecuting the war for the Union and putting down the Rebellion against it. It is your duty to use those instruments, and mine to see to it that you do use them.*

The foregoing address accentuates the beginning of what McClellan terms his "serious difficulties" with Stanton, whose "manner," he said, was "offensive."

The vigor with which the War Department was being re-galvanized attracted the attention of Charles A. Dana, then of the New York *Tribune*, who, in a letter of congratulation, called attention to certain cotton rascalities among Federal officers in the South, to which Stanton replied on January 24:

The facts you mention are new to me, but there is too much reason to fear they are true. But that matter will, I think, be corrected *very speedily*. Every man who wishes the country to pass through this trying hour should stand on watch, and aid me. Bad passions gather around and hem in the great movements that should deliver this nation.

Two days ago I wrote you a long letter—a three-pager—expressing my thanks for your admirable article of the 21st, stating my position and purposes; and in that letter I mentioned some of the circumstances of my unexpected appointment. But, interrupted before it was completed, I will not afflict you with it. I know the task that is before us. I say *us*, because the *Tribune* has its mission as plainly as I have mine, and both tend to the same end. But I am not in the smallest degree dismayed or disheartened. By God's blessing we shall prevail. I feel a deep, *earnest* feeling growing up around me. We now have no jokes or trivialities; but all with whom I act show that they are now in dead earnest. I know that you will rejoice to know this. As soon as I can get the machinery of the office working, the rats cleared out, and the rat-holes stopped, we shall *move*. *This army has got to fight or run away; and while men are striving nobly in the West, the champagne and oysters on the Potomac must be stopped*. But patience for a short while is all I ask, if you and others like you will rally around me.

In the above letter, the expression "we now have no jokes or trivialities," refers to the fact that while Lincoln was "swapping yarns" with his other cabinet officers and the heads of Departments he did not joke with Stanton or consume a second of his time not required for the consideration of public business.

The phrase "champagne and oysters on the Potomac," refers to the round of poppinjay dinners inaugurated by McClellan (un-

*Major A. E. H. Johnson, who entered the War Office with Stanton, says: "When Mr. Stanton came to the final sentence of his wonderful little speech, he turned his face straight toward General McClellan."

der the guidance of Wormley, the famous caterer) after he was appointed general-in-chief.* This social revelry exasperated Stanton, who knew that the commanders in the West, although living on hard-tack and coffee and sleeping on the ground, were fighting and driving the enemy at every opportunity.

*Says John F. Coyle, editor of the *National Intelligencer* at the time: "While he had his headquarters in Washington, General McClellan gave an elaborate dinner with several courses of wine almost every afternoon. I was frequently present and do not recall that at any time there were less than twenty guests at the board—not the friends of the administration or the war, either; such were never invited. McClellan was the head of society in Washington, and society was overwhelmingly in favor of secession. After dinner McClellan and his staff, in full dress uniform, mounted and went clattering up and down the public streets. He had no reason for going, except to be seen. It was ridiculous."

CHAPTER XXII.

AN ERA-CREATING ORDER.

On August 1, 1861, Secretary Cameron made Thomas A. Scott of Pennsylvania assistant secretary by an "order." Under Stanton the order was succeeded by a law—which also amply enlarged the clerical force—Mr. Scott continuing for the time being in office. John Tucker, controlling officer of the Philadelphia and Reading Railroad, was made second-assistant, to have general supervision of contracts and chartering steamers, transports, and craft for the use of the army. For third-assistant he chose his old friend and partner, Peter Hill Watson, who gave up a law business of fifty thousand dollars a year to accept the call of patriotism.

Having partly reorganized his Department and provided for its most pressing necessities as best he could within a few days, Stanton made a wider reconnoissance. Finding over one thousand four hundred nominations pending on the military list, he suspended all of them, thus inviting the opening assault of a personal warfare that became wide-spread, incessant, and malignant. He "wanted to examine into the matter," he explained, as "merit or honors won on the field ought to determine promotions and nominations" but his explanation was nothing—the friends of one thousand four hundred persons, in addition to the persons themselves, were disappointed and vengeful.

Discovering that arms, clothing, and supplies for the armies were largely purchased in Europe, he said to Secretary Chase: "If these things were purchased at home, the flow of gold abroad would be stopped and our factories lifted from depression." Therefore, in the famous official "Order" of January 29, 1862, he declared:

1. That no further contracts be made by this Department or any bureau thereof for any article of foreign manufacture that can be produced in the United States.

2. All outstanding orders, agencies, authorities, or licenses for the purchase of arms, clothing, or anything else in foreign countries, or of foreign manufacture, for this Department, are revoked and annulled.

Great and far-sighted as this conception proved to be, Lincoln was "afraid it would exasperate our friends over the water" and Seward opposed it as likely to "complicate the foreign situation."

"It will have to be issued," replied Stanton, "or very soon there will be no situation to complicate."

That closed the argument. The order went forth and created the industrial era in America, against the ever-increasing pressure of which, throughout the world, the nations are still groaning their protests. It made of the United States a self-supporting and ten-fold more expansive, glorious, and powerful nation than it was before. It was one of the most pregnant edicts ever issued by an American officer, and it is one of the few adequate measures of Stanton's greatness.

Part 4 of this same order of January 29 was aimed at corrupt and fraudulent contracts, against which the country was clamoring and which Congress was at that moment trying to investigate. He *Ordered*:

4. All contracts, orders, and arrangements for army supplies must be in writing, and signed by the contracting parties, and the original or a copy thereof, according to paragraph 1,049 of the regulations, filed with the head of the proper bureau. * * * Every claim founded upon any pretended contract, bargain, agreement, order, warrant, authority, or license now outstanding, of which notice and a copy is not filed in accordance with this order within the period mentioned, shall be deemed and held to be *prima facie* fraudulent and void, and no claim thereon will be allowed or paid by this Department unless upon full and satisfactory proof of its validity.

For a time consternation reigned about Washington, and great pressure was exerted to have section 4 revoked or modified. But it stood, saving the Treasury millions upon millions of dollars and making thousands of enemies for its author.

An exceedingly offensive spectacle to Stanton at this time was the crowd of soldiers—privates as well as officers—loafing, lobbying, speculating, and carousing about Washington. "Soldiers must be on duty and the army will now have to earn its living," he declared, and issued orders sending all connected with the military establishment to their respective posts. The effect was so salutary that the newspapers remarked, on January 29, that "fewer soldiers are seen in Washington than at any time since the commencement of the Rebellion."

A second letter to C. A. Dana, written on February 1, shows that he appreciated the weight of the heavy burdens he had undertaken to carry:

If General Fremont has any fight in him he shall (so far as I am concerned) have a chance to show it, and I have *told him so*. The times require the help of every man according to his gifts; and having neither partialities nor grudges to indulge, it will be my aim to practise on the maxim, "the tools to him that can handle them."

To bring the War Department up to the standard of the times, and work an army of five hundred thousand with machinery adapted to a peace establishment of twelve thousand is no easy task. This was Mr. Cameron's great trouble, and the cause of much of the complaints against him. All I ask is reasonable time and patience. The pressure of members of Congress for clerk and army appointments notwithstanding the most stringent rules, and the persistent strain against all measures essential to obtain time for thought, combination, and conference, are discouraging in the extreme. They often tempt me to quit the helm in despair. The only consolation is the confidence and support of good and patriotic men. To their aid I look for strength.

The changes and reforms necessary to "bring the Department up to the standard of the times" were executed only at the expense of Herculean effort. Indeed, so extraordinary were his exertions that on the 10th of February he was prostrated by vertigo and conveyed from the Department in an insensible condition. He soon recovered, however, and raced along as before.

Having entered the Department free from entanglements—without friends to reward, foes to punish, or political debts to discharge—he proposed to hold to a just and independent course regardless of criticism and personal dissatisfaction. But when the victories at Fort Henry (February 6, 1862) and Fort Donelson (February 16, 1862) were credited by the newspapers to the spirit and energy which he had instilled into the military establishment, he was frightened and sent the following generous sentiment by telegraph, which was published, over his signature, on February 20, in the *New York Tribune*:

I cannot suffer undue merit to be ascribed to my official actions. The glories of our recent victory belong to the gallant officers and soldiers that fought the battles. No share of it belongs to me.

Much has recently been said of military combinations and organizing victory. I hear such phrases with apprehension. They commenced in infidel France with the Italian campaign and resulted in Waterloo. Who can organize victory? Who can combine the elements of success on the

battlefield? We owe our recent victories to the spirit of the Lord that moved our soldiers to rush into battle and filled the hearts of our enemies with dismay. The inspiration that conquered in battle was in the hearts of the soldiers and from on high; and wherever there is the same inspiration there will be the same results. Patriotic spirit, with resolute courage in officers and men, is a military combination that never fails.

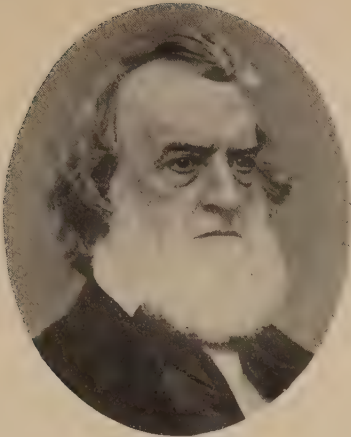
We may well rejoice at recent victories, for they teach us that battles are to be won now by us in the same and only manner that they were won by any people, or in any age, since the days of Joshua—by boldly pursuing and striking the foe. What, under the blessings of Providence, I conceive to be the true organization of victory and military combination to end this war, was declared in a few words by General Grant's message to General Buckner: "*I propose to move immediately upon your works.*"

To Mr. Dana, Stanton wrote privately an explanation of his reason for sending the despatch: "It occurred to me that your kind notices of myself might be perverted into a disparagement of the Western officers and soldiers to whom the merit of the recent victories justly belongs, and that it might create an antagonism between them and the head of the War Department. To avoid *that* misconception was the object of my despatch."

After he had forwarded it he telegraphed to Mr. Dana that his revised judgment was against publishing the despatch, but it was published nevertheless. On the day in which it appeared the associated press, in reporting a meeting of railway officials and managers at which Stanton spoke, put certain words into his mouth. Charles A. Dana, doubting the accuracy of the report, sent it to Stanton, who, on February 23, replied:

The paragraph* to which you call my attention is a ridiculous and impertinent effort to puff the General by a false publication of words I never uttered. Sam Barlow of New York, one of the secretaries of the meeting, was its author, as I have been informed. It is too small a matter for me to contradict, but I told Mr. Kimlen, the other secretary, that I thought the gentlemen who invited me to be present at their meeting owed it to themselves to see that one of their own officers should not misrepresent what I said. It was for them, and due to their own honor, to see that an officer of the Government might communicate with them in safety. And

*Thus the associated press reported: "Secretary Stanton in the course of his address paid a high compliment to the young and gallant friend at his side, Major-General McClellan, in whom he had the utmost confidence, and the result of whose military schemes, gigantic and well-matured, were *now exhibited to a rejoicing country*. The Secretary, with upraised hands, implored Almighty God to aid them and himself, and all occupying positions under the Government in crushing out this unholy Rebellion."



GIDEON WELLES,
Secretary of the Navy.



EDWARD BATES,
Attorney-General.



WM. PITT FESSENDEN,
Secretary of the Treasury.



MONTGOMERY BLAIR,
Postmaster-General.



EDWIN M. STANTON,
Secretary of War.



JAMES SPEED,
Attorney-General.

MEMBERS OF LINCOLN'S CABINET.

if it were not done, I should take care to offer no other opportunity for such practises. The fact is that the agents of the associated press, and a gang around the Federal capital, appear to be organized for the purpose of magnifying their idol. If such men as those who compose the railroad convention in this city do not rebuke such a practise as was perpetrated in this instance, they cannot be conferred with in the future.

You will of course see the propriety of my not noticing the matter, and thereby giving it importance beyond the contempt it inspires. I think you are well enough acquainted with me to judge in the future of the value of any such statement.

I notice that the *Herald* telegraphic reporter announces that I had a second attack of illness on Friday and could not attend the Department. I was in the Department, or in cabinet, from 9 A. M. until 9 at night, and never enjoyed more perfect health than on that day and at present.

Was it not funny to see a certain military hero [General McClellan] in the telegraph office at Washington last Sunday organizing victory, and by sublime military combinations capturing Fort Donelson *six hours after* Grant and Smith had taken it, sword in hand, and had victorious possession? It would make a picture worthy of *Punch*.

Stanton set apart two rooms in the War Department building for the exclusive use of the General-in-Chief, in order to have the two great machines for putting forth the war-power working harmoniously hand in hand. At McClellan's other headquarters, on the corner of Jackson Square, conspicuous opponents of the administration and the war, like George H. Pendleton and Clement L. Vallandigham of Ohio, Henry M. Rice of Minnesota, and Milton S. Latham of California, together with many private citizens of like sympathies, were constant visitors. To them, changing the headquarters from a private dwelling to public apartments adjoining Stanton's office, proved to be very unsatisfactory, as it did also to McClellan, who says he "entered the rooms but few times."

After almost a year of silence Stanton, on March 1, 1862, wrote again to Buchanan:

I hasten to acknowledge the receipt of your favor of the 25th, which reached me this morning.

Several letters written by me about the time mentioned in yours failed to reach their destination from some unknown cause. Into whatever hands they may have fallen they cannot prejudice any one, inasmuch as they related to facts that are public and historic. I will give directions to furnish you with the copies you desire without delay. But yours reminds me of a matter to which Judge Black called my attention soon after the date of my letter to you on the 10th of March. On his return from a visit to Wheatland, he surprised me by stating that my letter to you mentioned that he and myself approved the order, issued to the commander of the *Brooklyn*, sus-

pending the debarkation of troops at Pickens, whereas it was well known to yourself and every member of the cabinet then present, that both Judge Black and myself had earnestly opposed that order, and argued strongly against it. And in my correspondence with you it is stated that on conference with General Dix and Judge Black we coincided in our remembrance of the fact. He accounted for the statement in the letter by the supposition that, in the haste of writing, the word "not" was accidentally omitted. From one of your letters to me it appears that after having the subject called to your attention, your remembrance did not differ from ours as to the fact. I mention this, not as anything material to you or myself, but only as due to the truth.

The failure of my former letters to reach you last spring induced me to suspend any correspondence for a considerable period upon political subjects, and hence I omitted to write you concerning the events then and subsequently transpiring.

My accession to my present position was quite as sudden and unexpected as the confidence you bestowed upon me in calling me to your cabinet, and the responsible trust was accepted in both instances from the same motives, and will be executed with the same fidelity to the constitution and laws.

Your friend, Mr. Flinn, a short time ago, showed me a note to him from you, wherein you were kind enough to express a favorable opinion of me that gratified me exceedingly, and it has been in my mind to make acknowledgment, but it has been prevented until now by the intense pressure of my official engagements.

You may have noticed a resolution offered a short time ago by Mr. Train in the House.* That resolution has not yet been answered by me, but on inquiry I find it had only in view obtaining a letter written by a subordinate officer in one of the Departments, involving no one else but himself.

I thank you sincerely for the suggestion you make in regard to writing letters. I have written but one,† and that was prompted by a sense of justice to others and to disclaim merit in which I had no share. The suggestion will be carefully heeded.

*"RESOLVED: That the Secretary of War be directed to report to this House any correspondence which may be found on the files of his Department tending to show preparation by any State for an armed and treasonable rebellion against the Union."

†Published on Feb. 20, in the *New York Tribune*.—See p. 129.

CHAPTER XXIII.

"ARBITRARY ARRESTS"—GENERAL STONE.

The number of arrests made under his so-called "arbitrary" authority during the war, including deserters and bounty-jumpers, reached nearly two hundred and sixty thousand. Rank or station was no shield. When there was a report that General Judson Kilpatrick had seized livestock in Virginia and converted forage to his private use, Stanton jerked him into the Old Capitol prison at Washington before he could write an explanation. General Custer went over the same route at the same pace, on a similar charge. Subsequently both were released, but the lightning-like swiftness of their incarceration exerted a salutary influence throughout the army.

These so-called "arbitrary arrests" have always constituted a fruitful source of complaint against Stanton by those who felt his power or opposed the war. As a matter of fact there are no "arbitrary arrests" within military limitations. Offenses and crimes against the Government in time of war are well known and well defined, and their authors and those suspected of them may always be arrested summarily by an officer of the military establishment. When Stanton became secretary he found the arrest and custody of so-called "State prisoners" in the hands of the State Department, and a source of much confusion and dissatisfaction. On February 14, 1862, he issued an order releasing all political prisoners on parole not to render aid or comfort to the enemies of the United States, and declaring that "hereafter all extraordinary arrests will be made under the authority of the military authorities alone."

Nearly all civil courts resented military arrests outside of the insurrectionary districts, and many went further. They declared that the President had not delegated his powers to any other person, and that, therefore, all arrests made under the orders of generals or other military officers were illegal and void. To eliminate any cause for pretending to entertain this erroneous view, Stanton issued the following, on August 8, 1862:

ORDERED 1,—That all United States marshals and superintendents and chiefs of police, of any town, city, or district, be and they are hereby authorized and directed to arrest and imprison any person or persons who may be engaged by any act of speech or writing in discouraging volunteer enlistments or in any way giving aid and comfort to the enemy, or in any disloyal practise against the United States.

He then requested the President to issue a general proclamation suspending the writ of habeas corpus in respect to "all rebels and insurgents, their aiders and abettors within the United States, and all persons discouraging volunteer enlistments, resisting military drafts, or guilty of any disloyal practises, or affording aid and comfort to the rebels against the authority of the United States," which was done on the 24th of September, 1862.

The next moment he created a new Department in the military service and appointed a provost marshal general (J. B. Fry) with subordinate provost marshals in the several States, charged with arresting deserters and disloyal persons and "inquiring into and suppressing treasonable practises throughout the country." Referring to military arrests in his report to Congress of December, 1862, he said:

While military arrests of disloyal persons form a subject of complaint in some States, the discharge of such persons is complained of in other States. It has been the aim of the Department to avoid any encroachment upon individual rights, as far as may be consistent with public safety and the preservation of the Government. But reflecting minds will see that no greater encouragement can be given to the enemy, no more dangerous act of hostility can be perpetrated in this war, than efforts to prevent recruiting and enlisting for the armies, upon whose strength national existence depends. The expectations of rebel leaders and their sympathizers in loyal States that the call for volunteers would not be answered, and that the draft could not be enforced, have failed, and nothing is left but to clamor at the means by which their hopes were frustrated, and to strive to disarm the Government in future if, in the chances of war, another occasion for increasing the military forces should arise.

Writs of habeas corpus to release those arrested under military authority continued to be issued in great numbers, many courts declaring that "the military must be held subordinate to the judiciary" in order to "protect the rights and liberties of the people"—"people" meaning those who opposed the war, and "rights and liberties" meaning license to carry out disloyal purposes. Thereupon Stanton issued orders that such writs should be obeyed when issued by Federal but ignored when issued by State courts, sus-

tained therein by a ruling by Chief Justice Taney, a pro-slavery Democrat, in the slave-catching case of *Ableman vs. Booth*, from Wisconsin, in which the decision was that United States marshals were not bound to heed the processes of State courts, but if necessary, *must resist them*.

More than once Stanton took official notice of the hostility of a large section of the judiciary. On June 1, 1863, in a letter asking Secretary Seward to see the United States District Attorney for New York and urge him to "lend the aid of his office in enforcing the laws," he declared: "There never has been any assistance rendered by civil [judicial] officers to the Government in this war where they could get a colorable pretext for withholding it."

A few days later, in a communication to the President concerning the question of restricting the "interference of State courts with persons held in military custody by force," he said: "There appears to be an evident design on the part of some individuals holding judicial stations in different States, including Pennsylvania, to exercise their powers in hostility to the general Government in its efforts to repress the Rebellion, and especially with the view of preventing the operation of the draft and encouraging desertion."

To Governor Tod of Ohio, he wrote: "The courts, which might do so much for, are generally a hindrance to military operations; and in the time of war war-operations are paramount, if we are to save the Government."

The famous case of General C. P. Stone, under whom, on October 22, 1861, was fought the disastrous battle of Ball's Bluff, has been a permanent basis for attacking Stanton. Immediately after that engagement men in the command wrote to John A. Andrew, governor of Massachusetts, that Stone was in the habit of returning escaped slaves to their masters, forwarding Confederate mail, and associating with secessionists. Andrew replied that Stone's orders in respect to such matters should not be obeyed; Stone wrote to the adjutant-general protesting against State interference; the adjutant-general transmitted the protest to Andrew; Andrew forwarded it to Senator Charles Sumner; Sumner denounced Stone on the floor of the Senate; Stone wrote a letter to Sumner intended to bring on a duel, and Sumner turned the letter over to Cameron, then secretary of war.

Out of the discussion thus precipitated grew the famous Committee on the Conduct of the War, headed by the resolute and fear-

less Benjamin F. Wade, who at once began to take testimony concerning the case. A *prima facie* basis for court-martial proceedings was established, and Stanton, who had just succeeded Cameron as secretary of war, ordered General McClellan to cause Stone's arrest and imprisonment* on the record and report presented.

In addition to written testimony and evidence, the advice of the Committee on the Conduct of the War and the demands of Governor Andrew, which he could not disregard, Stanton possessed sources of information not open to others. A sister of two of the mulatto slaves returned by Stone was a servant in the home of Adjutant-General Townsend and disclosed that Mrs. Stone was acquainted with or related to the owners of the slaves and with other secessionists in the vicinity, which fact influenced her husband to establish a friendly intercourse with people not loyal to the Government. Even if devoid of disloyal purposes, this intercourse, because it could not be explained, was demoralizing to the army and irritating to the country.

Stone was confined at Fort Lafayette, near New York, during a period of one hundred and eighty-nine days, without trial. He was liberated on August 16, by the operation of the act of July 17, 1862. A year or more later he resigned his commission and entered the service of the Khedive of Egypt to become Stone Pasha.

That there was no escape from ordering his arrest is beyond question;† and, if his long imprisonment without trial seems unjust, the truth remains that the episode wrought great good to the service. It taught officers who were socially mingling and sympathizing with and personally favoring secessionists, that they could not serve both God and Mammon. It resulted in an additional article of war which forbade any officer from using or permitting

*On p. 50, Part II., "Report on the Conduct of the War," General McClellan testified: "On the day of the arrest, a written report was made to me of the examination of a refugee from Leesburg, which, *so far as such a thing could*, tended to corroborate some of the charges made against General Stone. I satisfied my mind by personal examination of the sincerity of the refugee, and then showed the statement to the Secretary of War, upon which he directed me to give the order to arrest General Stone immediately."

†Lincoln stated in a message on the subject to Congress: "Whether he [Stone] be guilty or innocent, circumstances required, as appears to me, such proceedings to be had against him for the public safety."



JOHN TUCKER,
Assistant Secretary of War.

the use of his command to catch and return fugitive slaves on pain of dismissal, and established the famous Committee on the Conduct of the War, each member of which was provided with a card of admission to Stanton's room "at all times."

Stanton possessed an unconquerable purpose to put down the Rebellion and restore the Union; but he must have men, money, supplies, and munitions to do it with, which came alone from Congress and the governors and legislatures of the loyal States. Governor Andrew stated bluntly that Massachusetts would raise and equip no more troops if they were to be placed under such commanders as Stone, and was sustained in that position by the other loyal governors, the press, and the majority of Congress. Stanton must either shut up Stone or shut off enlistments in Massachusetts and dampen military ardor throughout the North. He made no mistake in siding with Congress and the executives of loyal States.

As to holding Stone in long imprisonment without trial, Stanton himself declared: "To hold one commander in prison untried is less harmful in times of great national distress than to withdraw several good officers from active battle-fields to give him a trial. Individuals are nothing; we are contributing thousands of them to save the Union, and General Stone in Fort Lafayette is doing his share in that direction."

CHAPTER XXIV.

SUCCEEDS McCLELLAN AS GENERAL-IN-CHIEF.

General George B. McClellan, who was brought to Washington by General Scott on the 26th of July, 1861, and on November 1 was given command of all the armies of the Union, had not yet made a decisive move with his splendid legions.

The Federal Treasury was on the verge of bankruptcy ; capitalists were frightened, patriots discouraged. Stanton, coming into the arena fresh from the masses, comprehended the dangerous trend of affairs and gave articulation to the wrath of the people. He said to Lincoln : "You are commander-in-chief under the constitution and must act as such or the Government is lost. You must order McClellan to move. I think he will obey ; if not, put some one in his place who will obey."

Lincoln, acting promptly, drew with his own hand "Presidential Order No. 1" and Stanton prepared the famous Special Order No. 1 of January 27, 1862, for a general advance against the insurgent forces on the 22d of February following—the day on which Davis was to be installed at Richmond—ending thus : "Especially the Secretaries of War and Navy, with all their subordinates, and the General-in-Chief * * * will severally be held to strict and full responsibility for the prompt execution of this order."

Although specially mentioning the Secretaries of War and Navy, McClellan assumed that the order was really intended for himself alone, so he alone objected to its execution. On the 3d of February Stanton received from him a voluminous memorandum of objections, one of the principal ones being the "uncertainty of the weather." So emphatic was McClellan that Lincoln, contrary to Stanton's advice, agreed to submit his own general plans of advance with McClellan's, to a council of twelve generals.

The council consisted of Generals Fitz-John Porter, Franklin, W. F. Smith, McCall, Blenker, Andrew Porter, Negley, and Keyes who voted for, and McDowell, Sumner, Heintzelman, and Bar-

nard* who voted against the McClellan plan.

In debating the judgment of this council the President said to Stanton: "We can do nothing else than adopt this plan, and discard all others. With eight out of twelve division commanders approving we can't reject it and adopt another WITHOUT ASSUMING ALL THE RESPONSIBILITY IN THE CASE OF THE FAILURE OF THE ONE WE ADOPT." Stanton replied that while agreeing with the President's conclusion, he dissented from his arithmetic, because the generals who voted against the proposed plan were independent of the influence of the commanding general, while the others owed their promotions to him and were especially under his influence, voting his wish as one man rather than their own judgments; so that, instead of eight to four, there was really but one to four. Lincoln admitted the truth of this remark, but, to avoid friction and responsibility, decided to approve the plan endorsed eight to four by the council of generals, and on March 8 orders were issued bidding McClellan make the proposed move "as early as the 18th of March inst."

On the following day the public learned that the Confederate general had voluntarily abandoned his entrenchments at Manassas Junction, in front of Washington, a position he had been holding unmolested, "as a matter of cheek," with a small force of poorly fed troops—including wooden guns and stuffed soldiers! McClellan, who had all along claimed the enemy's force to be superior in numbers to his own,† now moved out for the purpose, he said, of "getting rid of superfluous baggage" and "giving the troops some experience on the march!"

*In "Peninsular Campaigns," General J. C. Barnard, McClellan's chief of engineers," says of the council: "To my great surprise, eight of the twelve officers present voted, off-hand, *for* the measure, *without* discussion; nor was any argument on my part available to secure a reconsideration."

†Stanton, learning that McClellan's claim that the Confederate forces between Washington and Richmond numbered 240,000 men could not be true, requested General B. F. Butler to prepare a statement, on the best obtainable evidence, of the enemy's strength about Washington and elsewhere, and submit it for use. Butler's report showed that the entire army menacing Washington could not exceed 70,000. Years afterward, when the War Department gave out the records for both armies, it was seen that even General Butler had over-estimated the Confederate force. McClellan had, "present for duty," 185,420 "officers and men," and 534 pieces of artillery—much of it the finest the world afforded. The Confederate force for the same moment, "present for duty," was 47,617, with perhaps 50 or 60 pieces of artillery.

But even this quest for "experience" was not made without protests. On the 9th he telegraphed to Stanton that he wished to suspend a portion of the President's order. To this Stanton instantly replied: "I think it is the duty of every officer to obey the President's orders, and I cannot see why you should not obey them in the present instance. I must therefore decline to suspend them."

But McClellan insisted and on the 10th Stanton yielded, saying:

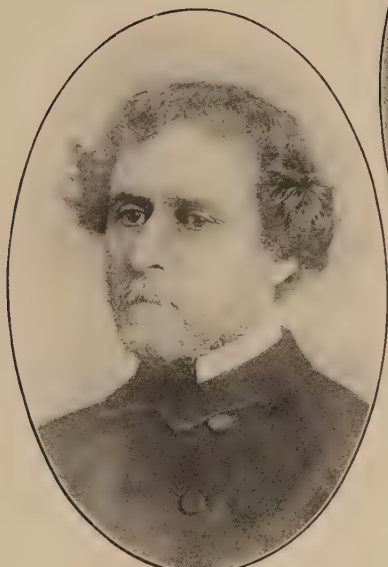
General:

I do not understand the President's order as restraining you from any military movement by division or otherwise that circumstances in your judgment may render expedient, and I certainly do not wish to delay or change any movements whatever that you have made or desire to make. I only wish to avoid giving my sanction to the suspension of a policy which the President has ordered to be pursued. But if you think that the terms of the order as it stands would operate to retard or in any way restrain movements that circumstances require to be made before any corps are formed, I will assume the responsibility of suspending the order for that purpose and authorize you to make any movement by division or otherwise, according to your own judgment.

My desire is that you should exercise every power that you think present circumstances require to be exercised, without delay; but I want you and me not to seem desirous of opposing an order by the President without necessity. I say, therefore, move just as you think best now and let the other matter stand until it can be accomplished without impeding movements.

In reply he received a telegram of thanks which also announced that "the troops are in motion." But it all meant nothing, and at the next cabinet meeting Stanton declared that "something must be done to relieve the other armies and the country of the Potomac incubus." So insistent was he that Lincoln (on March 11) issued an order stating that "Major-General McClellan, having personally taken the field at the head of the Army of the Potomac, is relieved of the command of the other military Departments, retaining the command of the Department of the Potomac." The order also required all Department commanders to report direct to the Secretary of War.

McClellan was greatly exasperated by this order, and his partisans instituted a series of venomous attacks on Stanton which have not ceased to this day. Blaine, in "Twenty Years of Congress," declared the order was an "egregious blunder," and other equally famous military experts have denounced Stanton for "assuming" and "usurping" the functions of general-in-chief, as if the



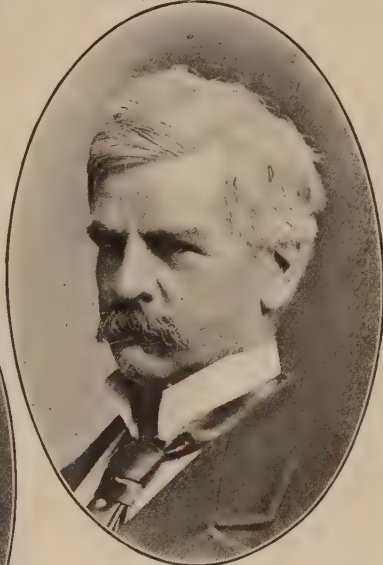
GEN. JOHN C. FREMONT.



GEN. JOHN E. WOOL.



GEN. JOHN COCHRANE.



GEN. N. P. BANKS.

Secretary of War were, and ought to be, nothing more than a clerk to the general commanding.

But Stanton neither "usurped" nor "assumed" the functions of general-in-chief. McClellan was acknowledged to be a failure; the nation was disgusted and clamorous; Chase was complaining that he could "grind out no more money" without the backing of military success or activity; there was bitter jealousy among the leading generals, not one of whom was conspicuous above his fellows, and something had to be done. One secretary favored promoting this and another that general. Stanton suggested, "Let a leader develop." Lincoln said: "Let us make the Secretary of War general-in-chief," and every member of the cabinet instantly voted in favor of the happy and lawful proposition.

Stanton accepted the responsibility and showed both his wisdom and forbearance by advising against appointing a new general-in-chief, for a time, in order to "avoid offending or humiliating McClellan" and to hold the place open for him should he "win a victory, or so conduct the army as to be entitled to reinstatement." Thus, while McClellan's partisans were denouncing and be-lying Stanton, Stanton was trying to save their idol—should he prove worth saving.

CHAPTER XXV.

THE FAMOUS "MORNING HOUR."

In order to have the remainder of the day free from interruptions, Stanton arranged to give an hour every morning to the "public." This morning hour is remembered more vividly by the masses than any other feature of his incumbency, and showed quite as well as any his enormous capacity for adaptation, organization, comprehension, and despatch. No preparation for taking care of the heterogeneous business that was to be considered could be made, for no one knew what was coming.

Standing on a small platform near a high desk at one end of the large reception room, with a messenger to deliver papers, he separated the sheep from the goats, the wheat from the tares, with a decisiveness and rapidity that was marvelous. Contractors, claimants, sick, wounded, cranks, chaplains, crooks, kickers, spies, politicians, constitution-savers, office-seekers, Cyprians after passes, sorrowing widows, broken-hearted fathers, convicts, deserters, dismissed or suspended officers—everybody came cocked and primed for a bout with the Secretary—and got it.

"Of all his duties, those of the reception room were the most annoying and distasteful," says Major A. E. H. Johnson, his confidential clerk. "Here he brought upon himself much censure and enmity for his abruptness, his swift decisions, and his firmness. But with him the success of his armies overshadowed everything else; that was all he was working for." Major Johnson continues:

At the time President Lincoln was dissatisfied with the failure of Meade to pursue and fight Lee, as he should have done after the battle of Gettysburg, an incident occurred which sent a thrill of astonishment through the building. A Western man with a note from the President proposed that the Secretary consider replacing the Army of the Potomac with the Army of the West. Stanton blurted out that if the President made that recommendation, he was a fool,* which settled the Westerner—he took his papers and left.

*When, an hour later, the Westerner repeated Stanton's remark to

"Sunset" Cox was the only person who ever kept his hat on in the reception room, and I always thought it was because he was afraid to encounter Mr. Stanton except under preparation for immediate retreat.

While Senator Trumbull of Chicago was presenting some matter to the Secretary, the two became greatly excited and by some accidental movement Mr. Stanton knocked the ink-stand off the high table and spilled the black fluid all about. On returning to his room he at once sent a note of apology, but the senator never forgave him, and, at the impeachment trial of President Johnson, got even by turning against his party and his State and voting for Johnson, which, of course, was voting against Mr. Stanton.

Often when Mr. Stanton came from the reception room, he washed his face and perfumed his flowing whiskers with cologne in order to get rid of the remains of some offensive breath he had encountered.

On one occasion he came from the reception room with his nose bleeding and sent me to bring Surgeon-General Barnes. He was somewhat alarmed at the free flow of blood, but General Barnes soon stopped it by cracked ice, and he went on as before.

At one particular reception Stanton espied a soldier-boy, ragged, dirty, and evidently in ill health, leaning against the wall as if too feeble to stand alone. Regardless of the officers crowded about him, he called the boy to him saying: "Well, my lad, what can I do for you?"

The soldier, without a word, drew a letter and handed it to the Secretary. Hastily reading it, Stanton cried: "I would rather be worthy of this letter than have the highest commission in the army of the United States," and then read aloud the communication, which was an appeal from General George H. Thomas in behalf of the bearer and survivor of the men sent South by General O. M. Mitchell to burn the bridges and destroy the railway communications of the Confederates before the battle of Shiloh. The youth's companions had been caught and hanged and he escaped more dead than alive. Reaching the Union lines, nearly a year elapsed before he was able to leave the hospital, and General Thomas urged that he be rewarded. Again turning to the boy Stanton asked, with considerable emotion in his voice, what he wanted.

"Let me go home."

"You shall go home, and when you return to the army it shall be as an officer. This is the sort of devotion that is needed in the service."

Lincoln, he received this characteristic reply: "If Mr. Stanton said the President is a fool, it must be so, for the Secretary is generally right."

In the spring of 1862, when the Fourth Wisconsin embarked from Newport News to join General Butler at New Orleans, Corporal Nathan Cole was left behind to die, as was supposed, of typhoid pneumonia. A telegram to that effect was sent to his father, Charles D. Cole, at Sheboygan Falls. The aged and stricken parent took the first train for Washington, not even waiting to change his suit. Although at that time all passes had been forbidden except to persons engaged in the military service, he joined the throng gathered to see the Secretary of War, for there was no alternative but to apply for a pass. Weary, depressed, and almost hopeless, especially when he observed Stanton tossing off his visitors with the energy of a cyclone, he waited his turn. As it was about to come, a stylishly dressed contractor pushed him aside and stepped into his place in the advancing line.

"Very well, sir; go ahead, if your business is more important than mine," said Mr. Cole, who was small and lame.

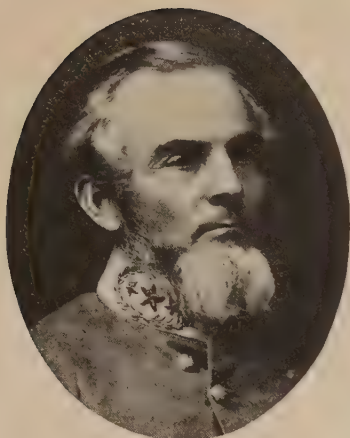
"Stand aside, there!" shouted Stanton to the contractor, and then, changing as quick as a flash to kindness and consideration, leaned over, extending his hand, and inquired of the white-haired father: "What can I do for you, sir?"

In a few trembling words the old gentleman made known the object of his long journey and began to search his pockets nervously for letters from Senator T. O. Howe and Governor Edward Salomon. Before he could find them Stanton grasped a large envelope and wrote the following, which he held forth while attending to the succeeding visitor: "Pass Charles D. Cole, a citizen of Wisconsin, to Newport News, Virginia, to visit his son, a soldier sick in the hospital there. All officers and soldiers of the United States will show Mr. Cole due courtesy and attention."

The stylish but hoggish contractor, as a penalty for his unjust conduct, was not permitted to state his business until Stanton had attended to every other person in the assemblage.

Young Cole recovered and in Sheboygan, Wisconsin, his home, no one can speak with impunity against Secretary Stanton.

During 1862, William Stanton Buchanan went to Washington to procure a contract for his townsman James Phillips of Wheeling, to cast ball and shell. "I went," he relates, "to the Secretary's house. In the evening, when Mr. Stanton came home, I thought I would further my business by mentioning a few points in regard to it. He replied: 'William, no talk on business here. I'll hear



GEN. GIDEON J. PILLOW, C. S. A.



GEN. J. E. B. STUART, C. S. A.



GEN. JOHN B. MAGRUDER, C. S. A.



GEN. D. H. HILL, C. S. A.



CONFEDERATE "QUAKER" (WOODEN) GUNS.

you at the Department to-morrow.' I prepared a statement of my application and went to the War Department and was received among the hundreds as though I had not known him intimately and fondly from childhood nor passed the previous night in his house. In his public duties he knew no friends or foes except the friends and foes of his country."

A remarkable feature of these morning receptions was that no matter how numerous the callers, Stanton managed to dispose of every case within the hour. On entering the room, while passing to his desk, he made a quick calculation of the number present and the amount of time he could give to each, and gauged his work accordingly. Occasionally Lincoln dropped in to see "Old Mars," as he called Stanton, "quell disturbances"—a feature of no previous or succeeding administration, and one which kept Stanton more closely in touch with the masses than any other that he could have adopted.

CHAPTER XXVI.

APPROVES McCLELLAN'S PLANS.

Having prevented the forward movement fixed for Washington's birthday and secured a reconstruction of the President's plan as well as a modification of the order of March 8, McClellan still refused to obey the command to go ahead under his own plan. On the 13th he assembled a "council of generals" at Fairfax Court-house to "consider the military situation." The handful of Confederates at Manassas having quietly withdrawn, so that he had no "vastly superior forces" to cow him into inaction, the council formulated a new plan based on a movement from Old Point Comfort, a naval display against the forts on the York River, "neutralizing" the *Merrimac** and leaving force enough about Washington to "give a feeling of entire security for its safety." When this had been agreed upon, McClellan telegraphed to Stanton that McDowell was en route to submit it for approval. Stanton instantly responded: "Whatever plan has been agreed upon, proceed at once to execute it without waiting an hour for my approval."

When McDowell arrived with the details, Stanton advised Lincoln that the new plan or nothing would have to be accepted and telegraphed to McClellan that it was approved, but that in choosing a new base of operations he must "leave Washington entirely secure" and a sufficiently large force at Manassas so the "enemy shall not repossess himself of that position and line of communication." The closing paragraph declared:

3. Move the remainder of the force down the Potomac, choosing a new base at Fortress Monroe, or anywhere between here and there; or, at all events move such remainder of the army in pursuit of the enemy by *some* route.

*The *Merrimac* blockaded the James River after McClellan was ordered to advance upon Richmond, thus increasing the difficulties of carrying out his own plan and the dangers attendant upon making Fortress Monroe his base.

Still there were objections and complaints. McClellan wanted to know what would become of General Wool's authority at Fortress Monroe in case he himself should ever reach that place and make it his base of operations. Stanton telegraphed at 5:20 that day, the 13th:

General Wool will be relieved from command whenever you desire to assume it and if you determine to make Fortress Monroe your base of operations you shall have control of the forces under General Burnside. All the forces and means of the Government will be at your disposal.

An hour later Stanton telegraphed again:

General Patrick was nominated upon your request. I took the nomination myself to the President and saw him sign it and I will go to the Senate to-morrow to urge confirmation. Any others you may designate will receive like attention. Nothing you can ask of me or of this Department to aid you in any particular will be spared.

The next morning before 8 o'clock Stanton ordered General Wool, who ranked McClellan, to submit to an inferior commander, and before 9 o'clock had informed McClellan that the order would be complied with.

It is possible to go on almost indefinitely with evidence from official and private records to prove that Stanton did everything within his power to satisfy and strengthen McClellan whenever it was supposed there was to be a forward movement, remaining in his office night and day to answer telegrams and grant requests.

"Of course I had an inside view of many things that passed between Stanton and McClellan and the other generals," says L. A. Somers of Cleveland, Ohio, an expert telegraph operator stationed in the War Department. "Stanton put forth his energies to help McClellan, to satisfy him with men and materials. His constant questions were—and many of them I sent and received with my own hands—'What can I do for you?' 'What do you need?'"

What were the results? Fiddling, dawdling, telegraphing, complaining, protesting, advising, wanting, objecting. Up to this time, too, the fortifications around Richmond had been little better than works of straw, so that at any moment when Lee was absent, the Confederate capital could have been taken without firing a gun.*

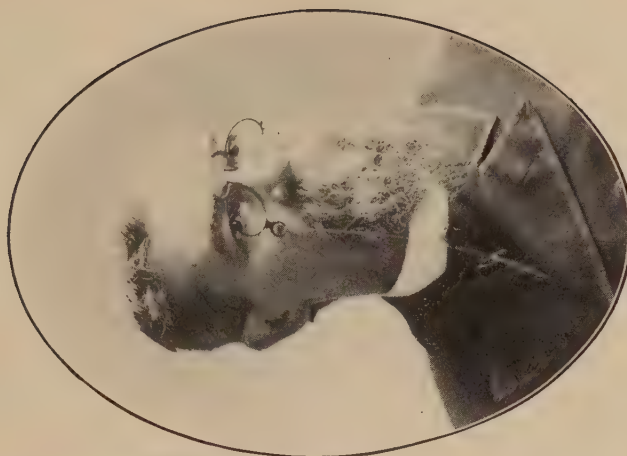
*Before the Committee on the Conduct of the War, General Gilman Marston and others testified that an attempt to take Richmond after the

On April 3, Stanton suspended recruiting for new regiments, closed the stations and ordered the officers in charge to the front. On page 9 of McClellan's "Own Story," this is described as "a blunder unparalleled in military history, as well as a crime." On page 258, he says it "proved either a desire for failure of the campaign or entire incompetence."

McClellan also condemned a subsequent draft based upon enrolment, saying it was an "unnecessary disturbance of all the relations of society and the business interests of the country"—a statement so absurd as to carry in its own words its own refutation. He said further as to the draft: "The numbers called out were absurdly large." Yet in a previous official "memorandum" to Lincoln he recommended a "display of overwhelming strength," and in nearly every letter, telegram, and conversation after Stanton became secretary of war he called for "more troops," "reinforcements," "one hundred thousand more men," "all you can spare," "more recruits." He denounced Stanton for enrolling while he himself never ceased calling for more men!

On April 3 McClellan announced from Fortress Monroe that he expected to move on the following day against Yorktown, where, he said, a great force of Confederates—about twenty-five thousand men—was entrenched, and asked that the Parrot guns mounted for the defense of Washington be forwarded for his use. This request was a grievous blow to Stanton, who had information that Yorktown was held by a mere handful of men compared to the number McClellan had reported. It indicated that McClellan wanted to strip Washington of its means of defense in order to increase his already overwhelming force for taking a place that a few hours later took itself, the Confederates, happy to escape, skedaddling in glee! The records disclose that there were between five thousand and six thousand Confederates at Yorktown; McClellan's force numbered over one hundred thousand. General J. B. Magruder said after-

evacuation of Yorktown would have been successful, the Confederates then controlling less than ten thousand men, while McClellan was in command of a very large army. General Pope testified that McClellan's army could have taken Richmond and marched to New Orleans. General Butler made a similar statement. McClellan's own commanders swore that he might have taken Richmond five times during his brief peninsular campaign. D. H. Hill, the Confederate general, says that "during Lee's absence Richmond was at the mercy of McClellan. He could have captured the city with but little loss of life."



MAJ. A. E. H. JOHNSON.



CHARLES A. DANA.



GEN. HERMAN HAUPT.

wards that he held Yorktown by "keeping up a hell of a clatter."

At Stanton's request Lincoln replied: "Your order for Parrot guns from Washington alarms us chiefly because it argues *indefinite procrastination*. Is anything to be done?"

On the same day Generals Hitchcock and Wadsworth reported to Stanton that McClellan had disobeyed the order to keep Washington protected. Although he had more men than he could use, he was calling for more and on the 6th Stanton telegraphed that Sumner's full corps was on the way to join him and that Franklin's division was advancing by way of Manassas, ending thus: "Telegraph frequently, and all the power of the Government shall be used to sustain you as occasion may require." On the 9th, Stanton having learned the precise strength of the Army of the Potomac, Lincoln wrote to McClellan among other things: "There is a curious mystery about the number of troops now with you." He quoted McClellan's reports to Stanton and asked him how the discrepancy of twenty-three thousand men therein disclosed could be accounted for. Also:

I suppose the whole force which has gone forward for you has reached you by this time. If so, I think it is the precise time for you to strike a blow. * * * Once more let me tell you, it is indispensable that you should strike a blow. * * * The country will not fail to note, is now noting, that the present hesitation is but the story of Manassas repeated. I beg to assure you that I have never written to you in greater kindness of feeling than now, or with a fuller purpose to sustain you as far as, in my most anxious judgment, I can. But you must act.

Two days later, although the Yorktown enemy had vanished, McClellan asked Stanton for more men, but said he would be satisfied if given Franklin's division. Instantly Stanton sent word that Franklin's division had been "ordered to march to Alexandria and embark for Fortress Monroe," and received McClellan's thanks and his assurance that victory was "sure now."

Among his reasons for not obeying the orders to advance, McClellan prints in his "Own Story" a letter from F. P. Blair, of April 12, advising him not to heed the cry of "on to Richmond," but to take his own time. On April 7, 1862, his close personal friend, General W. B. Franklin, wrote warning McClellan against the danger of obeying suggestions from anti-war and anti-administration politicians instead of orders from Washington, adding: "Stanton says all the opponents of the administration center around you." McClellan

proved that Stanton's allegation was true and consequently, of course, that he himself was hostile to the administration, by subsequently publishing in his "Own Story" portions of his correspondence with those very "opponents." As a further justification for his rebellious course, he recites immediately after Lincoln's letter of April 9, the insulting telegram sent by Pelissier to the French Emperor in reply to an order to renew the attack in the Crimea: "I will not renew the attack until ready; if you wish it done, come and do it yourself." He seemed to regard his mutiny against the President and the Secretary of War as a glorious and heroic achievement.

On April 11 he wrote to his wife not to "worry about" the "wretches" and "hounds" at Washington; that he had received a letter from Francis B. Cutting of New York, advising him not to permit the "treacherous hounds" at Washington to "drive" him "from his path" and had answered it, and that he would be glad when he had finished "this confounded affair," complaining of his "predicament," with "rebels on one side and abolitionists and *other scoundrels* on the other."

Stanton, too, wanted "this confounded affair" finished, for he telegraphed to McClellan on the 16th: "Let us have Yorktown with Magruder and his gang before May 1 and the job will be done." And then again on the 27th: "I am rejoiced to learn that your operations are progressing rapidly and with so much spirit and success, and congratulate you and the officers and soldiers engaged upon the brilliant affair mentioned in your telegram. Repeating the assurance that everything in the power of this Department is at your service, I hope soon to congratulate you upon a splendid victory that shall be the finishing stroke of the war."

Evidently Stanton knew that the insurgents were "playing horse" with McClellan, for he telegraphed to McDowell on the 28th that "the enemy will amuse McClellan at Yorktown and make a sudden dash with their main force against you or Banks."

On May 17 he telegraphed to McClellan:

In order to increase the strength of the attack on Richmond at the earliest moment, General McDowell has been ordered to march upon that city by the shortest route.

The specific task assigned to his command [40,000 men] has been to provide against any danger to the capital of the nation. At your earnest request he is sent forward to cooperate in the reduction of Richmond but charged in attempting to do this not to uncover the city of Washington

and you will give no order either before or after your junction which can put him out of position to cover this city.

Notwithstanding McClellan's incessant appeal for more troops, more troops was not what he wanted, after all. He wanted authority, not soldiers, and he did not seem to care how the battle went, for he answered:

The Department lines should not be allowed to interfere with *me*; but General McDowell, and all other troops sent *me*, should be placed completely at *my* disposal. * * * If *I* cannot fully control *all* his troops, *I want none of them*, but would prefer to fight the battle with what *I* have and let others be responsible for results.

CHAPTER XXVII.

CAPTURES NORFOLK.

Benjamin F. Butler says in "General Butler in New Orleans," that in his initial interview with Stanton in January, 1862, he was asked why he could not capture New Orleans. It was the first time the suggestion had been made, and, he said, it "thrilled" him. Elaborating later, he gives this interesting information concerning that first interview:

Mr. Stanton had some decided notions about the conduct of the war. He mentioned, I should say, a dozen things he said must be done—in fact, that he intended to do. I distinctly remember five, all of which appealed to my judgment of approval: (a) Capture New Orleans; (b) blockade the James River and cork up the Confederate "Government"; (c) cut off the stream of supplies from Baltimore to the Confederacy through the Shenandoah Valley; (d) confiscate slaves of rebellious masters; (e) compel McClellan to besiege Richmond until it surrendered.

The first of these I helped to accomplish without anything further than a suggestion; but the others Mr. Stanton was compelled to do himself.

In February Stanton inquired of Secretary Welles whether the navy could not invest Norfolk, especially as the navy-yard there ought to be rescued, and was met with the suggestion that General Burnside be ordered to assault the city by land—in other words, "Do it yourself, Mr. Stanton."

In the meantime, the *Merrimac*, a remarkable craft, nearly submerged, heavily armed and roofed with bars of railroad iron, issued forth and on March 8 and 9 sunk the Federal frigates *Congress* and *Cumberland*, frightened the navy, and threw New York, Washington, and the seacoast cities into hysterics.

On the very night that she completed this destruction, Stanton telegraphed to H. B. Renwick at New York, to call together secretly Abram S. Hewitt, Cornelius Vanderbilt, and others like them to sit as a committee to devise a way of sinking the new insurgent monster. While this was being done he inquired into the condition of his own forts and forces in that vicinity. Finding

Fortress Monroe provisioned for only sixty days and with but two guns that could injure the *Merrimac*—one of 12-inch and the other of 15-inch bore but not mounted—he ordered provisions and munitions for six months to be thrown in at once.

“It would be a wonderful reproach to your Department,” exclaimed Stanton to the chief of ordnance (General Ripley), “if this big gun should not be mounted when needed. The civilized world would execrate the officer who did not have this gun in fighting order ready for an emergency. I would not answer for the neck of the man loaded with such a responsibility.”

On March 13, he advised Secretary Welles of the navy, that he could not embark the army for Norfolk previous to such a blockade of the Craney Island channel as would bottle up the *Merrimac*. The result of his communication was stated next day by himself to his bureau chiefs:

I addressed a letter to the Secretary of the Navy informing him that our hulk and coal vessels were at his disposal to blockade the Elizabeth River [in which the *Merrimac* was anchored], but my letter does not seem to have been received in good temper. I have a reply stating that when the army shall clear Sewall's Point of the enemy, the navy will be happy to do its duty in sinking vessels. This I understand means that the navy intends to make no attempt to blockade the channel while the batteries are there. * * * * * The President sent for me. I found Mr. Fox [assistant secretary of the navy] present. We had a conference on the subject, but it led to no result. The President relies on Mr. Fox, who seems to think that he has in his possession the entire naval knowledge of the world. Under these circumstances my duty seems to be to give this serious matter active attention at once.

On the following day he telegraphed to Cornelius Vanderbilt to name a price for bottling up the *Merrimac* or sinking her if she should attempt to steam out, and to come at once to Washington. Vanderbilt offered the swift and powerful sidewheel steamer *Vanderbilt* to Stanton, fully equipped, without price, and on March 20 received the following, his offer having been accepted:

Confiding in your patriotic motives and purposes as well as your skill, judgment, and energy, full discretion and authority are conferred upon you to arm, equip, manage, use, navigate, and employ the steamer *Vanderbilt* with such commander and crew as you may deem fit. Instructions will be given to the quartermaster-general to furnish you with supplies and to treat and recognize the *Vanderbilt* as in the Government service and under the special orders of this Department.

When the craft reached Fortress Monroe, General Wool turned her over to Commander Goldsborough of the navy, whereupon Stanton instructed him by telegraph to repossess her and use her "exclusively under the command of the War Department."

Assistant-Secretary Watson arrived at Fortress Monroe a few hours later and, finding Goldsborough without the jealousy that poisoned Washington and eager to avail himself of any means within reach to destroy the *Merrimac*, he returned the *Vanderbilt* to him, with Stanton's approval.

Feeling certain that the *Vanderbilt*, although she herself might be destroyed by the impact, was able to run down and sink the *Merrimac*, and Fortress Monroe having been reinforced, Stanton instructed Wool to have his army ready for a sudden movement. He then invited Secretary Chase and the President to accompany him—the former because he wanted to use the revenue cutter *Miami* for the trip down the Potomac and the Chesapeake, and the latter because (not having invited the Secretary of the Navy) he wanted present, on arriving at the field of operations, full authority to take personal command of both army and navy, which the President as commander-in-chief of both, could and did give to him.

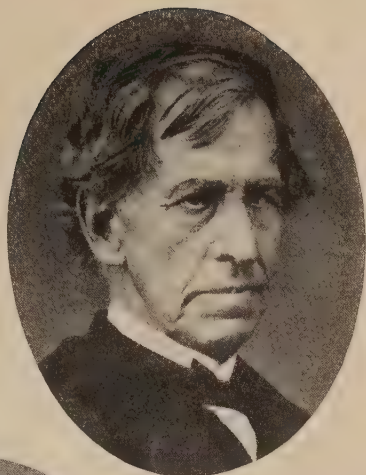
The party, accompanied by General Egbert L. Viele, left Washington at dusk on May 5, 1862. Unfavorable weather compelled the pilot to tie up during a portion of the night, so Fortress Monroe was not reached until the following evening. Stanton sent at once for General Wool and, after a brief conference, although it was 10 o'clock and the squadron flagship was some miles away, set out to consult Commander Goldsborough.

The following morning the party, accompanied by Wool and Goldsborough, visited the several ships in the Roads for the purpose of learning their condition for battle, and at noon—having found them "as fierce as one-eyed terriers for a fight"—Stanton decided to have the engagement open on the part of the navy at daybreak the next morning.

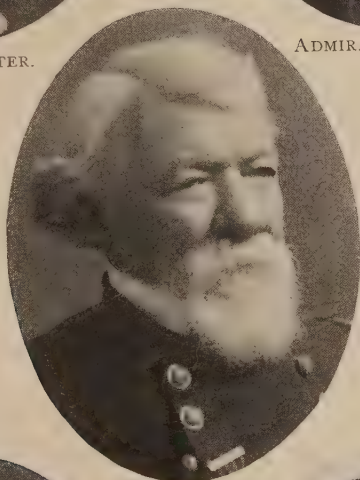
Lincoln more than willingly approved, and promptly as agreed three armed vessels, led by the *Galena* under John Rodgers, steamed up the James River Thursday morning and engaged the shore batteries, while the *Monitor* and *Stevens* cannonaded the works on Sewall's Point. At 8 A. M. Stanton telegraphed with delight to Assistant-Secretary Watson: "Tobacco, oil, and cotton are being



GEN. FITZ JOHN PORTER.



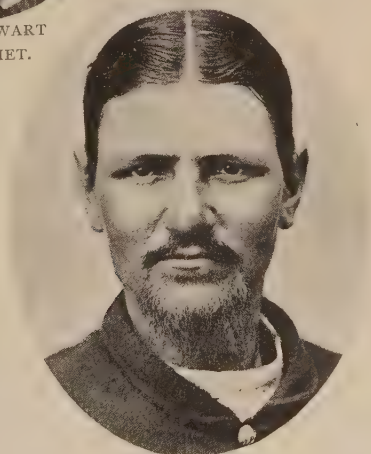
ADMIRAL CHARLES WILKES.



GEN. STEWART
VAN VLIET.



GOV. JOHN A. ANDREW.
(Massachusetts.)



BOSTON CORBETT.

carted out of Norfolk. Things are moving now." Again at 2 o'clock he telegraphed as follows:

The President is at this moment at Fort Wool witnessing the gunboats shelling the rebel batteries on Sewall's Point. At the same time heavy firing up the James River indicates that Rodgers and Morris are fighting the *Jamestown* and *Yorktown*. The boom of heavy cannonading strikes the ear every minute. The Sawyer gun in Fort Wool has silenced one battery on Sewall's Point. The James rifle does good work.

It was a beautiful sight to see the boats moving on Sewall's Point and one after another open fire and blaze away every minute.*

The troops will be ready to move in an hour. The ships engaged are the *Dacotah*, *Savannah*, *San Jacinto*, *Monitor*, and *Stevens*. The *Merrimac* is expected out every minute. A rebel tug came over this morning and said the *Merrimac* was at Norfolk when they left.

Soon after, the terror-inciting *Merrimac* came out, but seeing the *Vanderbilt* draw away for the purpose of getting up great speed to run her down, skulked under shelter, and was blown up by her commander at daylight on the following morning, producing what Stanton described as "one of the most beautiful sights ever beheld."

A suitable landing having been found, Stanton gave orders for the troops to forward march and at midnight was able to telegraph to Watson:

Norfolk and Portsmouth are ours; also the navy-yard. General Wool having completed the landing of his forces at 9 this morning on Wiltoughby's Point, marched with 5,000 men. Secretary Chase accompanied. At 5 this evening our forces within a short distance of Norfolk were met by a delegation of citizens and the city was formally surrendered. Our troops then marched in; we have possession; General Viele† is in command as military governor.

After Stanton had administered the oath of allegiance to hundreds of Virginians, the party returned to Washington Monday morning. Thus, in one hundred and twenty hours from the time

*"As soon as Stanton heard firing in every direction where there were rebel forts or forces, his delight knew no bounds," says General Viele.

†"Before leaving for Norfolk, Secretary Stanton said to me: 'I am going down to take Norfolk. I want you to go along prepared to act as military governor after the capture.' I went; he took Norfolk and everything else in that vicinity, and I was made military governor that very night. That shows what kind of a man Mr. Stanton was," says General Viele.

fixed for leaving Washington (twenty-six of which were required for the journey to Fortress Monroe) Norfolk, Portsmouth, Newport News, and the surrounding points were captured, never to be recovered by the insurgents; the *Merrimac* was driven to suicide; the United States navy-yard was recovered, and the James River completely blockaded, all according to Stanton's plans and under his personal direction.

When Commander Goldsborough made his report to the Navy Department he stated that he had acted on "orders from the Honorable Edwin M. Stanton," and accompanied the document by Lincoln's written statement that he had "verbally approved the movement in advance."

When Secretary Welles wished to occupy the Norfolk navy-yard, his own property, he was compelled to apply to Stanton for permission to do so. Secretary Chase wrote to Horace Greeley:

I cut this slip from the *Republican* this morning about Mr. Stanton. It is less than justice to him. Not only did he urge the order to move on the 22d of February, but he proposed to the President and myself the trip to Fortress Monroe; he proposed and urged the sending of Rodgers up the river, the landing of the troops by General Wool, and the march upon Norfolk. The next day witnessed the march, a panic, the capture of Norfolk, and the following morning the blowing up of the *Merrimac*. Nothing of all this, I verily believe, would have occurred but for Mr. Stanton's great energy of thought and action.*

In execution and results, Stanton's Norfolk expedition was undeniably one of the signal triumphs of the war. It is the only instance in American history where the secretary of war assumed personal command of both army and navy and actively directed the combined operations of both in battle.

"If Mr. Stanton had been a military man," says General T. M. Vincent, "the brilliant and decisive character of his Norfolk expedition would have filled the world with his fame."

*For years his partisans have claimed that the operations of McClellan caused the surrender of Norfolk. McClellan himself did not think so, for he sent an early telegram of congratulation to Stanton—the only one of this character he ever was known to send to the Secretary.

CHAPTER XXVIII.

THE LOFTY DYER LETTER.

Stanton hoped that going in person to capture Norfolk and Lincoln's ceaseless prodding would compel McClellan to move, but he was mistaken. The press continued to ridicule the situation by the daily use of the words in exaggerated head-lines, "All Quiet on the Potomac." McClellan's partisans the while poured broadsides of abuse upon Stanton, declaring that he was responsible for the repeated failures of the campaign in Virginia.

These attacks on Stanton were so persistent and vicious that his old friend and beloved tutor in Kenyon College, the Reverend Heman Dyer of New York, wrote a letter in reference to them, which drew forth this remarkable communication:

Washington, D. C., May 18, 1862.

My Dear Friend:

Yours of the 10th is welcome as an evidence of the continued regard of one whose esteem I have always been anxious to possess.

I have been very well aware of the calumnies busily circulated against me in New York and elsewhere respecting my relations to General McClellan, but am compelled from public considerations to withhold the proofs that would stamp the falsity of the accusations and the base motives of the accusers, who belong to two classes:

First—Plunderers who have been driven from the Department when they were gorging millions;

Second—Scheming politicians, whose designs are endangered by an earnest, resolute, and uncompromising prosecution of this war as a war against rebels and traitors.

A brief statement of facts of official record, which I can make to you confidentially, will suffice to satisfy yourself that your confidence in me has not been misplaced.

When I entered the cabinet I was and had been for months the sincere and devoted friend of General McClellan, and to support him and, so far as I might, aid and assist him in bringing the war to a close, was a chief inducement for me to sacrifice my personal happiness to a sense of public duty. I had studied him earnestly with an anxious desire to discover the military and patriotic virtue that might save the country, and,

if in any degree disappointed, I had hoped on, and waited for time to develop.

I went into the cabinet about the 20th of January. On the 27th the President made his Order No. 1, requiring the Army of the Potomac to move. It is not necessary, nor perhaps proper, to state all the causes which led to that order, but it is enough to know that the Government was on the verge of bankruptcy, and at the rate of expenditure the armies must move or the Government perish. The 22d of February was the day fixed for movement, and when it arrived there was no more sign of movement on the Potomac than there had been for three months before. Many, very many earnest conversations I had held with General McClellan, to impress him with the absolute necessity of active operations or that the Government would fail because of foreign intervention and enormous debt.

Between the 22d of February and the 8th of March the President had again interfered, and the movement on Winchester and to clear the blockade of the Potomac was promised, commenced, and abandoned. The circumstances cannot yet be revealed.

On the 8th of March the President again interfered, ordered the Army of the Potomac to be organized into army corps, and that operations should commence.

Two lines of operations were opened—one moving directly on the enemy at Manassas and forcing him back to Richmond, beating and destroying him by superior force, and all the time keeping the capital secure by lying between it and the enemy. This was the plan favored by the President. The other plan was to transfer the troops by water to some point on the lower Chesapeake, and thence advance to Richmond. This was General McClellan's plan.* The President yielded his own views, although they were supported by some of the best military men in the country, and consented that the General should pursue his own plans. But by a written order he imposed a special condition that the army should not be removed without leaving a sufficient force in and around Washington to make the capital perfectly secure against all danger, and the force required should be determined by the judgment of all the commanders of the army corps.

In order to enable General McClellan to devote his whole energy to the movement of his own army (which was quite enough to tax the ability of the ablest commander in the world) he was relieved from the charge of the other military Departments, it being supposed that the respective commanders were competent to direct the operations in their own Departments.

To enable McClellan to transport his force, every means and power of the Government were placed at his disposal and unsparingly used. When a large part of his force had been transferred to Fortress Monroe, and the whole of it about to go in a few days, information was given to me by various persons that there was great reason to fear that no adequate force

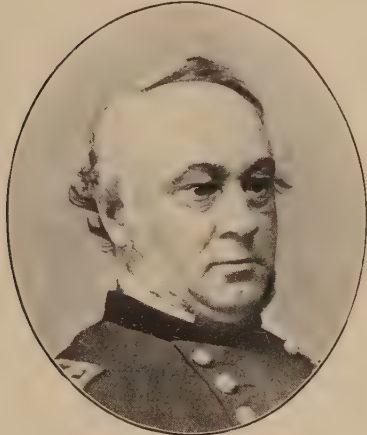
*Which left Washington open to capture; and Lee could well afford to pawn Richmond for Washington.



GEN. GEO. B. MCCLELLAN.



GEN. CHARLES P. STONE.



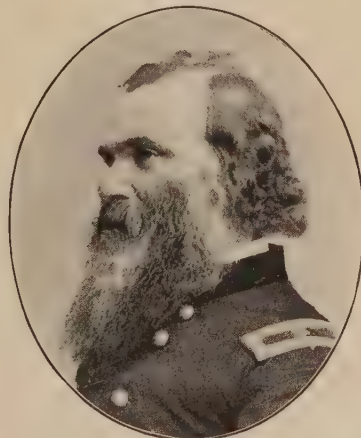
GEN. HENRY W. HALLECK.



GEN. GEORGE G. MEADE.



GEN. FRANCIS P. BLAIR.



GEN. D. C. MCCALLUM.

had been left to defend the capital in case of sudden attack; that the enemy might detach a large force and seize it at a time when it would not be possible for General McClellan to render any assistance. Serious alarm was expressed by many persons and many warnings given me which I could not neglect. I ordered a report of the force left to defend Washington. It was reported by the commander to be less than 20,000 raw recruits, with not a single organized brigade. A dash like that made a short time before at Winchester would at any time take the capital of the nation. The report of the force left to defend Washington and the order of the President were referred to Major-General Hitchcock and Adjutant-General Thomas, to report—

First—Whether the President's orders had been complied with;

Second—Whether the force left to defend the city of Washington was sufficient.

They reported in the negative on both points. These reports were submitted to the President, who also consulted General Totten, General Taylor, General Meigs, and General Ripley. They agreed in the opinion that the capital was not safe. The President then by written order directed me to retain one of the army corps for the defense of Washington—either Sumner's or McDowell's. As a part of Sumner's corps had already embarked, I directed McDowell to remain with his command. And the order was approved by the President.

Down to this period there has never been a shadow of difference between General McClellan and myself. It is true that I thought his plan of operations objectionable, as the most expensive, the most hazardous, and most protracted that could have been chosen; but I was not a military man, and while he was in command I would not interfere with his plan, and gave him every aid to execute it. But when the case had assumed the form it had done by his disregard of the President's orders and by leaving the capital exposed to seizure by the enemy, I was bound to act, even if I had not been so required by the specific written order of the President.

Will any man question that such was my duty?

When this order was communicated to General McClellan, it of course provoked his wrath, and the wrath of his friends was directed upon me because I was the agent of its execution.

If the force had gone forward as he had designed, I believe that Washington would this day be in the hands of the rebels!

Down to this point, moreover, there had never been the slightest difference between the President and myself. But the entreaties of General McClellan induced the President to modify his orders to the extent that Franklin's division (being part of McDowell's corps, that had been retained) was detached and sent forward by boat to McClellan. This was against my judgment, because I thought the whole force of McDowell should be kept together and sent forward by land on the shortest route to Richmond, thus aiding McClellan, and at the same time covering and protecting Washington by keeping between it and the enemy. In this opinion Major-General Hitchcock, General Meigs, and Adjutant-General Thomas agreed; but

the President was so anxious that General McClellan should have no cause of complaint, that he ordered the force to be sent by water, although that route was then threatened by the *Merrimac*. I yielded my opinion to the President's orders; but between him and me there has never been the slightest shadow since I entered the cabinet, and except the retention of the force under McDowell by the President's orders for the reason mentioned, General McClellan has never made a request nor expressed a wish that has not been promptly complied with, if in the power of the Government. To me personally he has repeatedly expressed his confidence and his thanks in the despatches sent me.

Now, one word as to the political motives: What motive can I have to thwart General McClellan? I am not now, never have been, and never will be a candidate for any office. I hold my present post at the request of the President, who knew me personally, but to whom I had not spoken from the 4th of March, 1861, until the day he handed me my commission.

I knew that everything I cherish and hold dear would be sacrificed by accepting office. But I thought I might help to save the country, and for that I was willing to perish. If I wanted to be a politician or a candidate for any office, would I stand between the Treasury and the robbers who are howling around me? Would I provoke and stand up against the whole newspaper gang in the country, of every part, who, to sell news, would imperil a battle? I was never taken for a fool, but there could be no greater madness than for a man to encounter what I do for anything less than motives that overleap time and look forward to eternity.

I believe that God Almighty founded this Government, and for my act in the effort to maintain it I expect to stand before Him in judgment.

You will pardon this long explanation which has been made to no one else. It is due to you, who was my friend when I was a poor boy at school, and had no claim upon your confidence and kindness. It cannot be made public for obvious reasons. General McClellan is at the head of our chief army. He must have every confidence and support, and I am willing that the whole world should revile me rather than to diminish one grain of the strength needed to conquer the rebels. In a struggle like this, justice or credit to individuals is but dust in the balance.

Desiring no office of honor, and anxious only for the support and quiet of my home, I suffer no inconvenience beyond that which arises from the trouble and anxiety suffered by worthy friends like yourself, who are naturally disturbed by the clamors and calumnies of those whose interests or feelings are hostile to me.

The official records will at the proper time fully prove:

First—That I have employed the whole power of the Government unsparingly to support General McClellan's operations;

Second—That I have not interfered with nor thwarted them in any particular;

Third—That the force retained from this expedition was not needed and could not have been employed by him; that it was retained by express orders of the President upon military investigation and upon the best military advice in the country; that its retention was required to save the capi-

tal from the danger to which it was exposed by disregard of the President's positive order of the 6th of March;

Fourth—That between the President and myself there never has been the slightest shadow of difference upon any point, save the detachment of Franklin's force, and that was a point of no significance, but in which I was sustained by Generals Hitchcock, Meigs, Thomas, and Ripley, while the President yielded only to an anxious desire to avoid complaint, declaring at the same time his belief that the force was not needed by General McClellan.

You will, of course, regard this explanation as being in the strictest confidence, designed only for your information upon matters where you have expressed concern for me.

The confidence of yourself and men like you is full equivalent for all the railing that has been or can be expended against me; and in the magnitude of the cause all merely individual questions are swallowed up.

I shall always rejoice to hear from you, and am as ever,

Truly yours,

The Reverend H. Dyer.

Edwin M. Stanton.

This splendid letter was penned at midnight. At the same moment—at midnight of May 18—in his tent in Virginia, McClellan was also writing—writing to his wife about Stanton and Lincoln, saying: "Those hounds at Washington are after me again!"

So they were! The "hounds at Washington" were trying to force him to get up and fight in defense of his country, and he wouldn't do it!

CHAPTER XXIX.

CREATES AND FIGHTS A NAVY.

Stanton's long and important professional connection with transportation enabled him to judge understandingly the importance of the Mississippi and its tributaries as commercial and military highways. Finding them practically in the hands of the insurgents when he became secretary, and being unable to secure from the Navy Department any satisfactory plan of opening them, he sent a note to Charles Ellet, in March, 1862, saying:

If this Department had several swift, strong boats on the Western rivers, commanded by energetic fighting men, I could clear the rebels out of those waters and recover the Mississippi to the use of commerce and our armies. The navy seems to be helpless and I am compelled to execute a plan of my own to avert the increasing dangers there. Can you not secretly fit out a fleet of swift boats at several points on the Ohio and descend on the rebels unexpectedly and destroy them? Please call at my office at once.

Charles Ellet, personally well known to Stanton, was an engineer of great renown and ability who had built the Fairmont, Niagara, and Wheeling bridges and invented steam rams for naval warfare. He called and discussed the matter with Stanton and his bureau chiefs, who instantly adopted Ellet's plan to buy or impress river craft of high speed at Pittsburg, Cincinnati, New Albany, etc., and transform them into rams to be used in surprising and sinking the insurgent fleet during high water.

On March 26, Stanton telegraphed to the boards of trade of Pittsburg, Cincinnati, and New Albany to appoint each a committee of three men expert in boat building and steamboating to serve for thirty days in providing an adequate defense against insurgent gunboats, of which a fleet of ten or more had already assembled at Island No. 10, in the Mississippi.

"My object," concluded the telegram, "is to bring the energetic, patriotic spirit and enlightened practical judgment of your city to

aid the Government in a matter of great moment when hours must count and dollars must not be squandered."

Ellet proceeded with haste to the river cities, in each of which Stanton appointed a quartermaster of known character and ability with full authority to purchase and pay for whatever was wanted. At Cincinnati the patriots set exorbitant values upon their boats, whereupon Stanton telegraphed to Mayor Butler:

The Department will submit to no speculative prices. Enough good boats can be had at Pittsburg for a fair price. If not, I will authorize the quartermaster to seize such boats as may be needed, leaving the parties to seek remuneration from Congress. For those purchased the price will be paid immediately, but I want no contracts concluded without being approved by this Department. * * * Hours count and every hour should bring the Rebellion nearer its end.

He instructed Mayor Burnett of New Albany not to wait for the arrival of Ellet, saying: "I want Pittsburg, Cincinnati, and New Albany skill, economy, enterprise, and patriotism to compete against each other. Shall give each an equal fair test and choose between them for future work. Time is a great element in choice."

In this way he aroused local pride and patriotism and, in an incredibly short time, created a fleet of gunboats under Ellet's supervision with solid prows of wood and iron, capable of steaming twenty miles per hour with the current, thirty-eight of them carrying 13-inch coast mortars with necessary hospital boats, tenders, store ships, etc. When it was ready, he placed Ellet (assisted by his brother Alfred) in command, instructing him that "the expedition must move upon the enemy with the concurrence of the naval commander on the Mississippi, for there must be no conflicting authorities in the prosecution of the war."

Reaching Memphis, Ellet applied to Commander Davis of the naval fleet (which had already lost two gunboats by the Confederate rams) for advice and cooperation. After an exasperating wait of several days, both cooperation and advice were refused. Davis acted, it was said, upon instructions from superiors at Washington.* The situation is disclosed by the following official telegram from Stanton to General Halleck, at Corinth, on June 5:

*Ellet had his ram project declined by the czar of Russia and rejected repeatedly by Secretary Welles of the navy, as *not original* nor effective. Hence Stanton had espoused an enterprise which the navy had pronounced impractical and worthless, and was in disrepute with that Department.

Colonel Ellet, commander of the ram fleet at Fort Pillow, informs me that he has been there a considerable time and has made repeated applications to Captain Davis, commander of the gunboats, for leave to attack the enemy's fleet, but has been uniformly refused. Captain Davis not only refuses to join Mr. Ellet or give him the protection of a single gunboat, but also refuses to allow him to attack on his own hook or allow any force to volunteer with him.

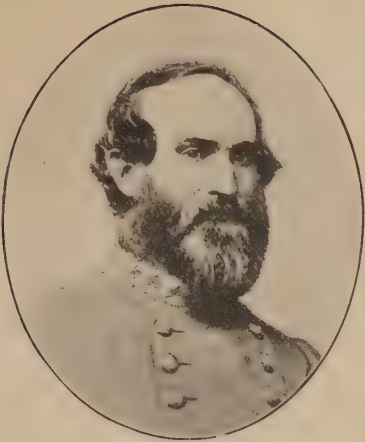
I regret the President will not place the fleet under your command. Ellet reports that the strength of the rebel batteries is greatly overrated and declares his intention to go on without the aid or approval of the gunboats.

Next day, with Stanton's consent, Ellet made the attack and destroyed, captured, or drove away the entire insurgent fleet. He was fatally wounded but continued to fight his ram, shouting to his brother: "Stick to your post, Alfred, and sink them all!" The next day Stanton telegraphed to him:

News of your glorious achievement reached us last night. Our joy is dampened only by your injury. I have seen Mrs. Ellet. She bears up bravely. I have provided passes and transportation and she will go to you at once with your daughter.*

The record is one not excelled in military history. On March 28, Stanton had formulated his plan for a river navy and despatched

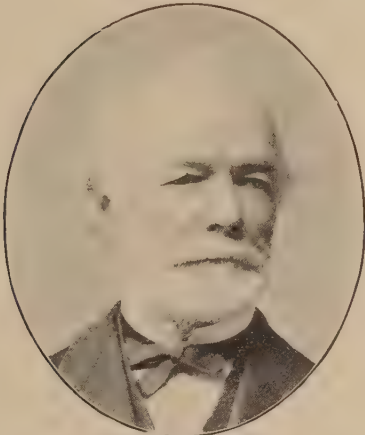
*Says Mary Virginia Ellet Cabell of Norwood, Virginia, daughter of Colonel Ellet: "The great War Secretary came in person to our home on Georgetown Heights, D. C., to announce to my mother my father's glorious achievement. I have heard that this powerful War Minister was harsh and unfeeling; but I can never forget the tenderness of his manner on that occasion. He came flushed with pleasure to bring to a hero's family the first news of his success. The agony of alarm with which his announcement was received brought tears to his eyes. When my mother sank under the terror of the first forebodings that my father's injury was not so light as represented, he beckoned me from the room and, taking both my hands in his, said soothingly, 'My dear young lady, do not be alarmed. Your father's wound is slight—his achievement famous, unequaled. Cheer your mother. I will send all telegrams as they arrive, to her,' and he kept his word. His carriage dashed back that same evening, and next morning we were provided with everything required to take my mother and myself to my father, on his flagship before Memphis. Thanks to Mr. Stanton's kindness and promptness, we reached my father before he sank and while he was conscious that the blow he had struck to the enemies of his country must cost him his life. * * * The rebel flag, taken by my brother Charles from the Memphis post-office during the close of the battle, is still in my possession."



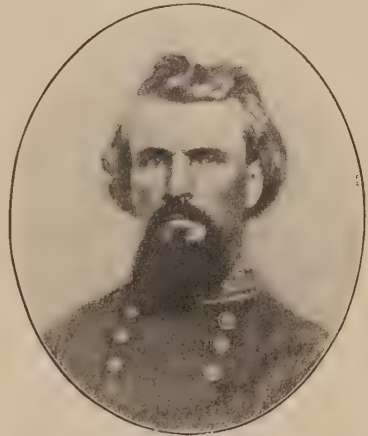
GEN. JUBAL A. EARLY, C. S. A.



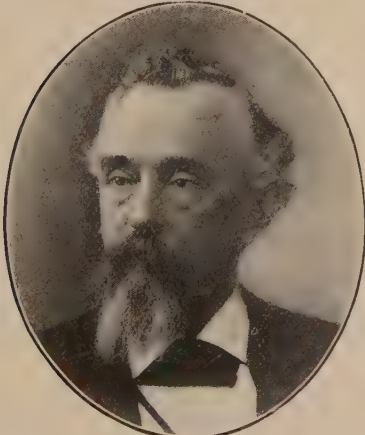
GEN. T. J. ("STONEWALL")
JACKSON, C. S. A.



GEN. JOSEPH E. JOHNSTON, C. S. A.



GEN. NATHAN B. FORREST, C. S. A.



GEN. JOSEPH W. CHALMERS, C. S. A.



W. W. BOYCE, M. C.

Ellet to Pittsburg to create it. Thirty-five days later the necessary craft had been secured and rebuilt by Ellet into rams and gunboats; eight days later they were manned by the nerviest men in the West, specially enlisted for "extra hazardous" service; fourteen days later they were anchored one thousand miles from where they were built to ask help from the navy to attack the enemy; six days later, at dusk, without that help, they had destroyed, captured, or driven away every insurgent craft!

Before the battle closed Colonel Ellet's nineteen-year-old son (Charles R.) with a small squad from the fleet, entered Memphis and replaced the Confederate flag on the Federal post-office with the Stars and Stripes.

And thus was Memphis secured, the Mississippi cleared to Vicksburg, the insurgent cause greatly crippled, and Stanton set to dancing with glee in his dingy office at Washington!

Owing to the displeasure of Secretary Welles* and the death of Ellet, who was a man of fiery courage and extraordinary energy and ability, Stanton's river navy was transferred by the act of July, 1862, to the Navy Department. Its previous feat under Stanton was described by General Sherman as one of the most remarkable of the war. After the transfer Stanton at once chartered and armed "patrol boats" for the Western rivers—especially the Ohio—which performed effective service; and no one succeeded in having them transferred from his control, although there were several sharp attempts in that direction.

*Secretary Welles, in his various postbellum writings, omitted no opportunity to criticize Stanton. As, without consulting him, Stanton took personal command of a portion of Mr. Welles's navy for the purpose of capturing Norfolk and blockading the James River, and created a new War Department navy of his own, which, without the aid of the regular navy officers present, almost instantly cleared the upper Mississippi of insurgent gunboats, the Secretary of the Navy naturally felt very sorely aggrieved. He interpreted both proceedings as severe reflections upon himself and his Department. Besides, Stanton paid no attention to Mr. Welles in cabinet meetings or elsewhere. He never visited the Navy Office and Mr. Welles never called at the War Office. Hence, if, after Stanton's death, Mr. Welles thought he could "get even" by attacking the Secretary of War in history, it was human nature for him to do so, and he did it.

CHAPTER XXX.

A MUTILATED TELEGRAM SAVES McCLELLAN.

Stanton continued to forward troops and munitions to McClellan; Lincoln to send telegrams and letters. The latter declared on May 28: "You [McClellan] must either attack Richmond or give up the job and come to Washington." Four days later (June 2) Stanton telegraphed:

Your telegram received. We greatly rejoice at your success. * *
* * You have received, of course, the order made yesterday in regard to Fortress Monroe. The object was to place at your command the disposable force of that Department. * * * All interest now centers on your operations, and full confidence is entertained of your brilliant and glorious success.

On June 7 he telegraphed that four regiments from Baltimore and one from Washington had been sent; that three more would follow that day and that McCall would move as soon as transportation arrived.

At last, on June 26, the Confederates attacked McClellan's right at Mechanicsville unsuccessfully; but on the following day, at Gaine's Mill, they renewed the attack with great slaughter. On the succeeding day (the 28th) he ordered the entire army to retreat, telegraphing to Stanton that he was "not responsible" for the result and closing: "If I save the army now, I tell you plainly that I owe no thanks to you or any person in Washington. *You have done your best to sacrifice this army.*"

"Had such language been used to a superior in any other country," says General E. D. Townsend, "and it was directed to the President as well as to the Secretary, the offender would have been cashiered, and, in most countries, shot."

But the words quoted were omitted* from the copy of the tele-

*Neither the full nor the mutilated telegram is on file in the War Department. The original, written by McClellan, is possessed by the McClellan family, and the correct cipher copy of it as received at Washington, is in the hands of General T. T. Eckert of New York.

gram that was furnished to Stanton and by him in turn handed to Lincoln. Thus, no one can say what would have occurred had the message been delivered as indited. McClellan appreciated the gravity of his offense, for in a letter to his wife concerning it he said: "Of course they will never forgive me for that. I knew it when I wrote it. His [Stanton's] reply may be to avail himself of the first opportunity to cut my head off."

Having no knowledge of the offense that had been committed, Stanton telegraphed:

We have every confidence in your ability to drive Jackson back, and shall lose no time in aiding you. With every wish for your success and good fortune (and I have never had any other feeling) I am, etc.

He ordered General Halleck to send twenty-five thousand men from Corinth, Tennessee, and General Hunter to forward "all he could spare—ten thousand at least"—from Hilton Head, North Carolina. Halleck, however, was unable to detach so many men, but ample supplies and help, supposed to be needed though in fact they were not, were sent forward with a rush.

The world has never known how the mutilation of McClellan's unsoldierly telegram occurred. The full story is now told for the first time by Major A. E. H. Johnson, Stanton's confidential clerk:

Colonel E. S. Sanford was supervisor and censor of telegraphic messages. He said to Assistant-Secretary Eckert that the charge against the Secretary contained in the telegram of June 28 was false—a charge of treason; that the defeat of McClellan's army was due to his own unfitness to command; that his whole course showed that he was afraid of Lee and every telegram he sent was proof of it; that while it was doubtful whether the censor had authority to suppress a telegram from General McClellan, and especially one to the Secretary of War, yet this was such an outrageous, such an infamous untruth, that he, as telegraphic censor, could not allow himself to be used to hand it to the Secretary. The telegram, minus the offensive words, was then recopied, and the copy handed to Stanton and taken by him to the President. Neither knew of its mutilation, and both acted upon it in perfect ignorance of the terrible charge it had previously contained against them.

I never knew Colonel Sanford in person to bring a telegram into the Secretary's room till that morning, nor did he often come to the War Department, having no office in the building. Major Eckert had sent for him to know what to do with this telegram, which was evidently intended by McClellan to reach the public as a means of shifting the cause of his defeat from his own to other shoulders. The suppression of it destroyed the purpose of the sender, as he himself dared not publish it, and it was

not heard of until brought forth as a campaign document* in the presidential canvass of 1864, when its author was snowed under.

The telegram was in cipher and the first copy of it was destroyed; but the true message is in the cipher book now in possession of General Eckert. The mutilated copy, published in the Rebellion Records, was taken from the collection made to be delivered to Stanton at the end of the war; it may also be found on p. 302, Vol. I., Report of the Committee on the Conduct of the War.

McClellan's "Own Story" published in 1887, charges Stanton with mutilating the telegram of June 28, which charge the world may now see is as false as the one expurgated from McClellan's message by Colonel Sanford.

Of this telegram, Nicolay and Hay, President Lincoln's biographers, say:

"Early on the morning of the 28th of June, he sent the Secretary of War his memorable telegram, which was a mere blind cry of despair and insubordination. The kind and patient words with which President Lincoln replied to this unsoldierly and unmanly petulance, and the vigor put forth by the War Department to mitigate the danger with all available supplies and reinforcements, have been related."

As Lincoln never saw the "unsoldierly and petulant" part of the telegram, his "kind and patient" words were not in answer to it; and Stanton's vigorous action was not based on McClellan's charge of treason, but on that part of the telegram which said: "Not a man in reserve, and I shall be glad to cover my retreat and save the material and personnel of the army."

Thus Colonel Sanford's expurgation saved McClellan from dismissal, court-martial, and perhaps something immeasurably worse; but it has led easy-going writers into producing some remarkable "history."

*Congress ordered 5,000 copies of McClellan's final report to be printed and it was circulated as a Democratic campaign document.

CHAPTER XXXI.

MCCLELLAN'S THREAT TO SURRENDER.

Not knowing that the false and offending words of the message described in the previous chapter had been suppressed, and receiving no reproof for sending them, McClellan made bold to despatch his father-in-law and chief of staff (General R. B. Marcy) to say to Stanton in person that unless certain things were done and he were given more perfect independence, he should have to surrender his army to Lee! Stanton, having a dying child at his country home, was greatly distressed when Marcy presented this startling ultimatum. Major A. E. H. Johnson, who was present at the interview, says:

Mr. Stanton was profoundly stirred, perhaps I might say frightened. He was already staggering under the demands of the country for military activity on the peninsula, Secretary Chase's appeal for decisive army movements as a basis for national credit, McClellan's inexplicable droning, and the critical condition of his child, yet he instantly measured the awful disaster that would follow the delivery of McClellan's army to Lee—the loss of the capital and perhaps the nation. He talked very earnestly to General Marcy, but before the interview was concluded he was called away by a message saying that his baby was dying. The promise that General Marcy expected to exact, was, therefore, I think, never put in [written] form.

There is corroborative testimony in the official records of the War Department and among McClellan's papers of the truth of Major Johnson's relation, beginning with this telegram, which announced the required promotions:

July 5, 1862; 2:30 P. M.

Major-General G. B. McClellan:

I have nominated for promotion General E. V. Sumner as brevet-major-general of the regular service and major-general of volunteers; Generals Heintzelman, Keyes, and Porter as brevet-brigadiers in the regular service and major-generals of volunteers.

The gallantry of every officer and man in your noble army shall be suitably acknowledged.

General Marcy is here and will take you cheering news.

Be sure that you will have the support of this Department and the Government as cordially and faithfully as was ever rendered by man to man; and, if we shall live to see each other face to face, you will be satisfied that you have never had from me anything but the most confiding integrity.

Edwin M. Stanton,
Secretary of War.

Before the "cheering news" thus promised had been fully communicated to General Marcy, Stanton was called peremptorily to the bedside of his child. In his extreme grief, and while his carriage was waiting at the door, he hastily penned a note to General Marcy and another to General McClellan, the latter as follows:

Washington, D. C., July 5, 1862.

My Dear General:

I have talked to General Marcy and meant to have written to you by him, but am called to the country where Mrs. Stanton is with her children, to see one of them die.*

I can therefore only say, my dear General, in this brief moment, that there is no cause in my heart or conduct for the cloud which wicked men have raised between us for their own base and selfish purposes.

No man ever had a truer friend than I have been to you and shall continue to be. You are seldom absent from my thoughts, and I am ready to make any sacrifice to aid you. Time allows me to say no more than that I pray Almighty God to deliver you and your army from all peril and lead you on to victory.

Yours truly,
Edwin M. Stanton.

The threats of General Marcy must have been made substantiated as alleged by Major Johnson, or the throbbing sentences of Stanton's communication to McClellan would have been then and would be now, meaningless.

To this letter McClellan replied on the 8th, that "of all the men in the nation," Stanton was his "choice" for secretary of war; that it was not too late for them, working together, as Stanton had said in the beginning, "to save this country," and that "it is with feelings of great relief that I now say to you *that I shall at once resume on my part the same cordial confidence which once characterized our intercourse.*"

*The child, James H. Stanton, was buried on the 10th,



PRESIDENT LINCOLN VISITS MCCLELLAN AT ANTIETAM—1862.

CHAPTER XXXII.

GREAT BATTLE WITH THE PEN—POPE SLAUGHTERED.

Being required to report, McClellan stated that thirty-eight thousand, two hundred and fifty able-bodied men were absent from his command on furloughs. This fact coming up in the cabinet meeting of July 22, Stanton "very earnestly" suggested that "McClellan be compelled to modify his course or resign; otherwise the country will and ought to hold the administration responsible for the failure of the peninsular campaign. A bankrupt treasury is bad enough, but if we bankrupt national patriotism, the obloquy of all time will not be a sufficient condemnation of our course."

Chase added that "the change proposed by the Secretary of War is a financial necessity; there are now ten million dollars of unpaid requisitions out and the amount is increasing." Lincoln refused to act, however, and Stanton returned to his altogether discouraging task.

Telegrams from Lee to Stuart, intercepted on July 17, disclosed that the Confederate purpose was to mass a great force in front of Pope and suddenly crush him before the Army of the Potomac, which McClellan was mobilizing about Fortress Monroe, could come to the rescue, and then rush on and capture Washington. McClellan was advised of this plan. He could have gone to Pope, who, knowing what Lee proposed, retreated behind the Rappahannock; or he could have advanced upon Richmond and compelled Lee to return to save the Confederate capital. He did neither, and refused steadily to obey all commands to do either.

The first telegram along this line, on July 30, ordered him to send off his sick, for whom quarters had been prepared, in order to be ready to move his army. He did not obey, so another telegram was sent August 2 saying the President wished a reply. On the 3d he replied: "Until I am informed what is to be done with this army I cannot act understandingly for the good of the service." He was answered: "It was expected that you would send off your sick as directed without waiting to know what were or

what would be the intentions of the Government."

From day to day he was ordered to make haste and on the 9th was informed that the enemy was massing forces in front of Pope and Burnside with the intention of crushing them and marching on to the Potomac: "You must send reinforcements instantly to Aquia Creek. Considering the amount of transportation at your disposal, your delay is not satisfactory." Next day General-in-Chief Halleck telegraphed that "the enemy is fighting Pope to-day. There must be no further delay in your movements. That which has already occurred was entirely unexpected and must be satisfactorily explained."

At the very moment these numerous and urgent orders from Washington were being disobeyed, one of McClellan's own generals and partisans was asking permission to strike the blow so desperately demanded by Stanton—the blow which would have saved Pope and turned the tide of the war. It was sent through McClellan's father-in-law (General Marcy) by General Alfred Pleasanton:

Haxall's Landing, August 11, 1862.

General R. B. Marcy, Chief-of-Staff,

General:—Your note of this date received. There are moments when the most decided action is necessary to save us from great disasters. I think such a moment has arrived.

The enemy before us is weak. A crushing blow by this army at this time would be invaluable to disconcert the troops of the enemy to the north of us. That blow can be made in forty-eight hours. Two corps would do it, and be in position to go wherever else they may be ordered by that time.

From all I can learn there are not 36,000 men between this and Richmond, nor do I believe that they can get more before we can whip them. I have guides ready, and know the roads sufficiently well to accomplish anything the General wants.

I write this as a friend. I shall willingly carry out the General's orders, be they what they may; but I think he has an opportunity at this time few men ever attain.

Destroy this, and whatever I have said shall not be repeated by me
Very truly yours,

A. Pleasanton.

The foregoing, not used by the historians but, through an error, left on file in the War Department, clearly establishes McClellan's persistent and disastrous insubordination, as well as what his own friends thought of it at that moment.

On the 21st he was advised: "Pope and Burnside are hard pushed and require aid as rapidly as you can send it. Come yourself

as soon as you can." On the 24th he arrived at Aquia Creek, with orders to proceed to Alexandria and "take entire charge of sending out troops," and reached that city by boat on the evening of the 26th.

On the following morning Herman Haupt, Stanton's director of Military Railways, went in a rowboat to search for McClellan among the fleet of transports. On finding him, surrounded by his staff and writing materials, Haupt lost no time in disclosing that Pope was out of forage and rations, Lee tearing at his rear, communication cut off, and relief imperatively demanded. He then rowed McClellan ashore and explained how, if protection were granted for the trains, relief could be promptly sent, but was told in reply that the undertaking was "too risky"—as if war could be prosecuted without risk! Refusing to provide protection, approve Haupt's plan, or make any suggestion of his own, McClellan called for a drink of brandy, mounted a horse and rode away!

At that moment there were thirty thousand veteran troops in camp near Alexandria, within sixteen miles of the spot where Pope's handful of weary men was being slaughtered; but, as his "Own Story" (page 529) shows, McClellan was so busy preparing a journal and writing to his wife that he could not cooperate with Haupt to save Pope from annihilation and the capital from peril. He began writing in the early "A. M.," and at 10:30 A. M., after Haupt had ceased begging him for help, complained to his wife that he had "been *again* interrupted by telegrams requiring replies."

That a general of the army was not permitted to devote his mornings, noons, and evenings to writing copiously to his wife without being "interrupted by telegrams requiring replies," and that he was not allowed to make military history with a pen instead of a sword without "interruption" at 10:30 in the morning, is unquestionably the blackest shame in American history!

Haupt, exasperated at the unmistakable disposition to let Pope perish, determined to send succor at any hazard. Having prepared a relief train, he asked McClellan, who had been rediscovered, for a convoy of two hundred sharp-shooters. At 1 o'clock in the morning of the 28th, the request being ungranted, Haupt secured a lantern and walked four miles to General Hancock's camp and, routing that superb officer out of bed, promptly secured the



LIBBY PRISON—RICHMOND, VA.

required escort and at 4 o'clock that morning began despatching the relief trains that were so sorely needed.

Pope's army, after the pluckiest resistance human creatures could offer, was overwhelmed, though not until the supply of green apples and crackers and of ammunition was exhausted and the shattered band worn out. The first part of McClellan's prophecy to his wife that "Pope will be badly thrashed within ten days and then they will be glad to turn over the redemption of affairs to me," thanks to his own recalcitrant conduct, came very near being fulfilled, but the desperate fighting of Pope's men held Lee's fiery army in check and saved Washington.

Yet if Lee had known the real situation—that McClellan was inactive and rejoicing at Alexandria and that Pope had neither bread, bullets, nor reinforcements—he would have swept on to Washington and set up the Confederate government in the Federal capital!

CHAPTER XXXIII.

AN EVERLASTING INDICTMENT—McCLELLAN REINSTATED.

Although not personally participating in the great battle of telegrams* between Washington and Alexandria, Stanton was acting on its disclosures. On August 28, he asked Halleck for an official report upon the disobedience of "the general commanding the Army of the Potomac." While this record was being compiled and while Pope was being pounded back by Lee's desperate assaults for want of the support which was near at hand, Stanton himself was etching into history a terrible indictment.

On appearing at the War Office in the morning of the 30th, he drew the subjoined protest, written in his own hand, in large outline on both sides of the sheet, with several erasures and interlineations, from an inner pocket of his coat. A fair copy was made by Assistant-Secretary Watson to be signed by the members of the cabinet and submitted to Lincoln, as follows:

Washington City, August 30th, 1862.

Mr. President:

The undersigned feel compelled by a profound sense of duty to the Government and people of the United States and to yourself as your constitutional advisers, respectfully to recommend the immediate removal of George B. McClellan from the command of any army in the United States. We are constrained to urge this by the conviction that after a sad and humiliating trial of twelve months and by the frightful and useless sacrifice of the lives of many thousands of brave men and the waste of many millions of national means, he has proved to be incompetent for any important military command. And also because by recent disobedience to superior orders and inactivity he has twice imperiled the army commanded by General Pope, and while he continues to command will daily hazard the fate of our armies and our national existence, exhibiting no sign of a disposition or capacity to restore the national honor that has been so deeply tarnished in the eyes of the world by his military failures.

*McClellan received ten telegrams on one subject—ordering him to send General Franklin to the aid of Pope—and disobeyed all of them.

We are unwilling to be accessory to the waste of national resources, the protraction of the war, the destruction of our armies, and the imperiling of the Union which we believe must result from the continuance of George B. McClellan in command, and seek therefore by his prompt removal to afford an opportunity to capable officers, under God's providence, to protect our national existence.

Stanton and Chase having signed, the latter took the document for further circulation among the cabinet officers. Secretary Smith signed readily, but Attorney-General Bates, objecting to the form in which the matter was presented, prepared (adopting the sentiments and conclusion of Stanton's paper) a shorter and more quiet petition, which was also signed by Stanton, Chase, Smith, and Bates. The line left for Welles is blank, although he had, Chase says, promised to affix his signature, and probably would have done so if a sudden change in the course of events had not intervened.

The partly-signed protest, together with Halleck's report of even date showing that McClellan had been in a state of insubordination for a month, were read by Lincoln on the high desk in Stanton's private office. He hung over the documents almost a full day, toward the close of which he wrote and several times re-wrote a paper which has never been made public. He did not think it wise technically and in writing to relieve McClellan, but that simply to leave him at Alexandria without anything to do, with no men or orders, there to gnaw a file, would prove the more judicious course.

Although being terribly punished, Pope was nevertheless expected to win, and it was Stanton's purpose to relieve McClellan and announce the fact to the country at the moment of victory.

On this point Major A. E. H. Johnson, who witnessed all of the conferences, says:

The President thought that to give out Mr. Stanton's original indictment, which recited exact and terrible reasons for relieving McClellan, would set ten thousand McClellanite tongues to wagging and an hundred thousand copperhead teeth to biting, and he had enough of those things already. So, after consulting a long, long time with Mr. Stanton, he concluded to say to the people merely, if he said anything: "You come to me and I will tell you all about McClellan"—a plan to which, of course, Mr. Stanton felt compelled to assent, although against his judgment.

McClellan arrived at Washington on the morning of September 1, to see Halleck "alone." In the meantime Colonel J. C. Kelton, who had been despatched to learn Pope's condition and predict future movements of the enemy, had returned and reported the Federal rout complete, the surrounding country filled with stragglers, and Lee's way to Washington practically unobstructed. This depressing information having been communicated to Lincoln by Stanton, the former, before sunrise of the morning of September 2, visited McClellan at his house in company with Halleck and, instead of dismissing him as had been agreed, expressed great fear that Washington was lost and told him to take command of local and incoming forces and to do the best he could to protect the capital.

Although in his "Own Story," written over twenty years later, McClellan alleges that he disagreed with Lincoln and Halleck as to the peril of the capital, he wrote to his wife from Alexandria at 11:30 P. M. of August 31: "I do not regard Washington as safe against the rebels. If I can slip quietly over there I will send your silver off." Knowing that his failure to support Pope meant the probable loss of the capital, he proposed to "slip" over secretly, contrary to orders, and send the family silver away, so that it should not fall, with Lincoln and Stanton and the other "hounds," into the hands of Lee! He was anxious to save his tableware but not the capital and head officers of the nation!

Stanton appeared in the War Office much earlier than usual that morning, deeply absorbed and, going straight to the high desk at which Lincoln and himself had stood in profound and painful earnestness for two days and nights, gathered up the McClellan protests and accompanying papers and suppressed them, and, Halleck's report excepted, not one of them ever saw the light until all of the chief actors in that tragic drama had passed from earth.

Pope was whipped, not victorious as had been hoped, and Stanton had learned that Lincoln, instead of dismissing McClellan, had, before daylight that morning, personally ordered him to take command of the forces about Washington.*

Thus himself and the remainder of the cabinet except Blair

*When the formal order was ready to issue, Stanton eliminated the usual words, "by order of the Secretary of War," and forbade their use therein, and "by order of General Halleck" was substituted by Adjutant-General Townsend.

(Seward having straddled) had been overridden. Lincoln appreciated the situation, for he did not visit Stanton again in the War Office for a month, Major Johnson says, and not as freely as formerly until shortly before he issued the order retiring McClellan permanently from the military service.

An instructive picture of that eventful day is thus given by General M. C. Meigs:

The contrast between Lincoln and Stanton at the time Pope was defeated and Lee appeared before Washington, was very great. The latter was steaming about with vigor, under great pressure, issuing volley after volley of orders to be executed "at once" for the safety of the city, for at first we all thought the capital was really going to be captured. Lincoln, on the other hand, dropped into my room on his weary way to see Stanton, drew himself way down into a big chair and, with a mingled groan and sigh, exclaimed: "Chase says we can't raise any more money; Pope is licked and McClellan has the diarrhoea. What shall I do? The bottom is out of the tub, the bottom is out of the tub!"

I told the President to meet his generals with Stanton, fix the bottom back in the tub, rally the army, and order another advance at once. This seemed to brace him up a little and he went on to the War Department; but for the moment he was completely discouraged and downhearted. Stanton, on the other hand, was more full of power and vehement energy than ever.

And thus another picture by Adjutant-General E. D. Townsend:

Secretary Stanton was thoroughly frightened when news came that Pope had been routed. I do not mean that he personally was scared, but he feared Washington would be captured by the Confederates.

There was a large and valuable depot of supplies and stores in the city for distribution to the Army of the Potomac. Mr. Stanton, determined that it should not fall into the hands of the enemy, ordered General Maynadier to prepare instantly to move everything out; and, if there should be anything he could not move, to destroy it before leaving. A few hours later more reassuring news came in and the order was recalled.

Several times I saw Mr. Stanton when he was very much in earnest, but at this time his anger and indignation with McClellan for refusing to cooperate with Pope were immeasurable.*

The situation, in view of the general lack of definite information, was indeed critical. Confederate scouts had arranged to have their army cross the Potomac near Georgetown, D. C.; the Treas-

*Confidential Clerk A. E. H. Johnson says: "I believe that if McClellan had been present when the news of Pope's defeat came in, the Secretary would have assaulted him. I never saw him so enraged."

ury was barricaded with hundreds of barrels of cement; Stanton had gathered the more important papers of his office into such bundles as could be carried by men on foot or horseback, should the occasion arise; thousands of persons had fled the city; panic-stricken fragments of the broken Federal armies were pouring in, and confusion and incoherency were universal.

Later in the day (September 2) the cabinet met. The entire subject was gone over, during which Lincoln said that while McClellan's conduct had been "atrocious" and "shocking," he saw no course open except the one he had pursued.

In some form or other every member of the cabinet except Stanton has given an account of that spirited meeting. For months he had exerted himself in vain to prevent the perilous situation that was then upon the nation, and could well afford to let others do the talking.

That Stanton was not misinformed concerning McClellan's angry hostility to Pope, his attitude of rebellion against Lincoln, Halleck, and himself, and his general determination to disobey all orders* from Washington, is amply proven by the shreds of correspondence with Mrs. McClellan and W. H. Aspinwall which were permitted to see light in McClellan's "Own Story":

July 17—You do not feel more bitterly towards those people [at Washington] than I do. * * * I fear they have done all that cowardice and folly can do to ruin our poor country. * * * It makes my blood boil when I think of it.

July 19—[To W. H. Aspinwall, New York.] * * * My main object in writing to you is to ask you to be kind enough to cast your eyes about to see whether there is anything I can do in New York to earn a respectable support for my family.

July 20—I believe that it is now certain that Halleck is commander-in-chief. * * * I cannot remain permanently in the army† after this slight * * * I have had enough of earthly honors

*A special committee appointed by the Military Historical Society of Massachusetts to report impartially upon McClellan's conduct, censured him with great severity, declaring that "owing to his profound contempt" for his superiors he did not "propose to obey orders" and, among several other indictments, declared that "simple obedience to the orders of the General-in-Chief [Halleck] would have saved the country from immense losses."

†In Volume IV. of "Battles and Leaders of the Civil War," Ulysses S. Grant says: "The *worst* excuse a soldier can make for declining service is that of having once ranked the commander he is ordered to report to."

Washington City
August 30th 1862

Mr President:

The undersigned feel compelled by a profound sense of duty to the government and people of the United States and to yourself as your constitutional advisers respectfully to recommend the immediate removal of George B. McClellan from the command of any army of the United States. We are constrained to urge this by the conviction that after a sad and humiliating trial of twelve months and by the frightful and useless sacrifice of the lives of many thousands of brave men and the waste of many millions of National means he has proved to be incompetent for any important military command. And also because by recent disobedience to superior orders and inactivity he has twice imperilled the army commanded by General Pope, and while he continues in command will daily hazard the fate of our armies and our National existence, exhibiting no sign of a disposition a capacity to restore the National Honor

that has been so deeply tarnished in the eyes of the world by his military failures.

We are unwilling to be necessary to the waste of National resources, the protraction of the war, the destruction of our armies, and the imperiling of the Union and the Government itself which we believe must result from the continuance of George B McClellan in command and seek therefore by his prompt removal to afford an opportunity to capable officers, under Gods Providence, to preserve our National existence.

We have the honor to be with great respect

S. P. Chase

Secy of the Treasury

Edwin M Stanton

Secretary of War

Caleb B Smith

Secy of the Interior

and place. * * * * I am sick and weary of this business. I am tired of serving fools.

July 21—I see that the Pope bubble is likely to be suddenly collapsed. Jackson is after him and the young man who wanted to teach me the art of war will, in less than a week, either be in full retreat or badly whipped.

July 30—I am sorry to say that * * * too much faith cannot be rested in Halleck.

August 2—When you contrast the policy I urged in my letter [of July 8] to the President with that of Congress and Mr. Pope, you can readily agree with me that there can be little confidence between the Government and myself. *We are the antipodes of each other.* * * * But I shall consult my sense of right and my own judgment, not *deferring to that of others.*

August 8—I will issue to-morrow an order giving my comments on Mr. John Pope. I will strike square in the teeth of all his infamous orders and give directly the reverse instructions to my army. * * * I have received my orders from Halleck. * * * They are as bad as they can be and I regard them as almost fatal to our cause. * * * I shall obey the orders unless the enemy gives me a very good opening. * * * I had another letter from Halleck to-night. I strongly suspect him.

August 10—The absurdity of Halleck's course in ordering the army away from here is that it cannot reach Washington in time to do any good, but will be *necessarily* too late. I hope to be ready to-morrow afternoon *to move forward in the direction of Richmond.* * * * Halleck is turning out just like the rest of the herd. * * * I half apprehend they will be too quick for me in Washington and relieve me before I have the chance of making the dash. * * * I am satisfied the dolts in Washington are bent on my destruction. * *

* They are committing a fatal error in withdrawing me from here * * * I think the result * * * will be that Pope will be badly thrashed within ten days and they will be glad to turn the redemption of affairs over to me.

August 14—I shall conduct the march to Fortress Monroe and attend to the embarkation thence; my mind is pretty much made up to try to break off at that point.

August 21—I still think they will put me on the shelf or do something disagreeable to get me out of the way. I shall be glad of anything that severs my connection with such a set. * * * They may go to the deuce in their own way.

August 22—I shall be only too happy to get back to quiet life again. * * * I am not fond of being made a target for the abuse and slander of *all the rascals in the country.*

CHAPTER XXXIV.

SLAVES—STANTON THE REAL EMANCIPATOR.

Lincoln was elected on a strong pro-slavery platform, which he endorsed in his letter of acceptance. In his inaugural address he declared: "I have no purpose, directly or indirectly, to interfere with slavery in the States where it exists. I believe I have no lawful right to do so."

Jefferson Davis, the insurgent president, entertained the same view and made war to enforce it.

Stanton, coming on a year later, declared that Lincoln was not bound by the platform of 1860, nor by his letter of acceptance, nor yet by his inaugural address. Conditions had changed since then. "Those pledges had been wiped out by the very war they had been expected to avert," he urged. Lincoln adhered to different views, so Stanton was compelled to take practical action upon matters as he found them. His situation was difficult. The upheaving ferment of war was inciting thousands of slaves to escape into the Union armies and communities. General B. F. Butler had termed them "contraband of war" and set them to work. General John C. Fremont had proclaimed all slaves within his jurisdiction (Missouri) free, which proclamation Lincoln annulled; General Phelps, disregarding Lincoln's revocations, declared from Ship Island, Mississippi, that the slaves within his district were free, and General Grant forbade any party from crossing the Federal lines to hunt escaped slaves or the return of slaves "used by the enemy in any manner hostile to the Government" * * * and that they should "be employed for the benefit of the Government."

Stanton lost no time in urging the necessity of "knocking the main prop" from under the secession cause, but Lincoln and the remaining members of the cabinet (except Chase) seemed to be immovably set against his policy. However, Lincoln soon realized the fatality of unalterable opposition in time of war to his war minister, and unfolded his proclamation of March 6, 1862, in which

Congress was asked to cooperate financially with any State wishing to gradually abolish slavery.

"Such a proposition on the part of the general Government," said Lincoln, "sets up no claims of right by Federal authority to interfere with slavery within State limits, referring as it does the absolute control of the subject in each case to the State and its people immediately interested."

"We shall be compelled to retreat from that policy or retreat from Washington," urged Stanton. "We shall be forced to deal with slaves as with any other form of enemy's property. There will be no action whatever under the resolution you propose. Besides, it commits the administration to the theory that this is not a nation, the very theory for which the secessionists are contending with force and arms."

Lincoln, without responding to Stanton's argument, put the question to a vote and his proclamation was approved 3 to 2, Stanton not voting. Thereupon it was uttered, but as Stanton predicted, "no action whatever" was taken under it by any of the States affected. It was not even published by the newspapers of those States.

The earliest official utterance indicative that Stanton did not agree and could not successfully act in accord with Lincoln's views on slavery, is contained in a letter dated May 5, 1862, to General Mitchell, in which he said:

The assistance of slaves is an element of military strength which you are fully justified in employing. * * * It has been freely employed by the enemy and to abstain from its judicious use when it can be employed with military advantage would be a failure to employ means to suppress the Rebellion and restore the authority of the Government.

On May 9, 1862, General David Hunter issued a proclamation declaring all the slaves in his territory—Georgia, Florida, and South Carolina—"forever free." Lincoln promptly set it aside as void, but the Africans looked upon it as valid and flocked to its author by thousands. He subsisted and made use of them as if they were free, whereupon Congress asked Stanton whether he had permitted certain generals to profit by the work and services of colored persons and whether he had issued arms and clothing for those "slaves." He made a significant answer: He had no "official" information as to whether General Hunter had organized a regiment of "black men, fugitive slaves," and that while Hunter had

"not been authorized to organize and muster" those black men, he had been furnished with clothing and arms for the forces under his command "*without instructions as to where they should be used.*"

Thus, while Lincoln, so far as proclamations could do so, was returning negroes in Georgia, Florida, and South Carolina to slavery, Stanton was silently but effectively equipping them to strike for the preservation of the Union. But he much disliked the position into which he was being forced by the attitude of the President on the one hand and the constantly augmenting number of escaping slaves he was compelled to deal with throughout the army on the other, and decided, in May, 1862, to issue an emancipation, or, as he conceived it, "Confiscation Proclamation," on his own responsibility.

He submitted the draft to Generals Townsend and Meigs—to the former as acting adjutant-general who would have to issue the document, and to the latter as quartermaster-general who would have to provide the increased clothing, equipment, and stores consequent on such a step. On this point nothing could be more interesting or trustworthy than the testimony of General Townsend:

At about the time the President annulled General Hunter's proclamation in relation to slaves, Mr. Stanton handed me an order, in his own penmanship, declaring that all slaves and other estate of rebellious persons had been forfeited to the United States and instructing commanders to regard blacks coming within the terms thereof as free, as in fact, they were, and to treat them accordingly.

The paper was carefully but strongly worded. Mr. Stanton asked me whether any military corrections were required and whether I doubted his authority to issue it. At the close of the day I returned the order to him with one or two verbal changes and said to him that I had no doubt of his authority to issue it if he thought advisable to do so. My impression is that Peter H. Watson, assistant secretary of war, secured legal opinions confirmatory of Mr. Stanton's claim that he could treat the slaves of insurgent owners as forfeited to the State; and, as the State could have no bondmen, that such slaves were therefore free.

It would have been my duty as acting adjutant-general, to issue the order; hence, Mr. Stanton's consultation with me about it. There was so much commotion over military orders declaring certain blacks free that Mr. Stanton, wholly out of consideration for Mr. Lincoln, dropped his proclamation and instigated the Confiscation Act [passed on July 17, 1862] which accomplished the same purpose with less friction.

Lincoln proposed to veto and actually wrote a message vetoing the Confiscation Act asked for by Stanton, holding it to be uncon-

stitutional. He said, as he had often said before, that Congress had no right to legislate respecting slavery in the States, and that not the property of rebels in fee but simply the offender's life estate therein could be forfeited to the United States.*

Stanton advised that this contention was erroneous in law, wrong in theory, and destructive in practise; but, as the President would not yield, a declaratory resolution was swiftly prepared and passed by Congress a few hours later, on the same day, explaining that the act was not intended to do more than forfeit the life estate of insurgents in their confiscated property.

Later Lincoln was forced to recede from his position and, through George W. Julian, acknowledged his error to Congress. Thereupon a bill to repeal the explanatory limitation was presented and Stanton's wisdom vindicated; not, however, before there had been a great waste of national effort and substance, for he was compelled constantly to find a way to go ahead according to conditions as he found them, which he did by accepting all willing blacks into the military service.

Of the cabinet meeting of July 21, Mr. Chase wrote in his diary:

The Secretary of War presented some letters from General Hunter advising the Department that the withdrawal of a large portion of his troops to reinforce General McClellan rendered it highly important that he should be immediately authorized to enlist all loyal persons without reference to complexion. The President *expressed himself adverse to arming negroes.*

At the session next day Stanton made an almost irresistible effort in favor of a decisive blow to slavery as an all-important war measure, contending for three hours against Lincoln and the entire cabinet. Some fragmentary notes of this "acrimonious session," made in ink on the spot by himself, state that he advocated "immediate emancipation," that Seward was opposed because such a step would "break up our relations with foreign nations and the production of cotton for sixty years," and that Chase was opposed because he feared it would "lead to universal emancipation."

Nevertheless Stanton made every possible use of slaves in the

*William Whiting, solicitor of the War Department and the greatest authority in the United States on martial and military law, says in "War Powers Under the Constitution," that Lincoln was wholly wrong in his attitude on this subject.

army. At first the difficulty of paying them was great, as the enlistment of blacks, bond or free, in the regular army or even State militia, was prohibited by the act of May 8, 1792, and by the army regulations of 1816. In the case of General B. F. Butler, however, the adverse rulings of the Treasury were circumvented. He says:

After Mr. Stanton became secretary of war I was always fully, though sometimes surreptitiously sustained in my efforts to utilize the black man in the army, but the President was hostile. I had written urgently from New Orleans for reinforcements, saying that I should have to call on Africa for aid if I could not get it from Washington. My correspondence with Lincoln was not answered, but Secretary Stanton replied by filling a requisition for 5,000 arms and as many sets of equipment and clothing, with no restrictions, as there had been previously, that they were to be used for *white* soldiers only. Of course I understood that and acted accordingly.

My black regiments were mustered regularly and entered active service the last of August, 1862. Perhaps I should add that before leaving for New Orleans, I talked with the President about the blacks. He said he was not prepared to discuss a negro policy. I then went to Mr. Stanton. His answer was prompt. He told me to hold, equip, employ, or arm all the negroes who came to me, if it should be all in my Department. I was about to do so openly when the news of Lincoln's voidance of Hunter's proclamation arrived. I have explained how I managed after that.

In August, General Rufus Saxton succeeded General Hunter in control of freedmen, abandoned lands, and the organization of colored troops in the Department of the South and received instructions from Stanton, under date of August 25, 1862, granting authority to employ (1) not to exceed fifty thousand laborers at five dollars per month for common and eight dollars for skilled (2) with clothing and subsistence; (3) to "enlist, enroll, arm, equip, and drill for military service for the purpose of guarding plantations and settlements occupied by the United States from invasion and to protect the inhabitants thereof from captivity and murder by the enemy," not exceeding five thousand volunteers of African descent (4) "to be entitled to receive the same pay and rations as are allowed by law to volunteers in the service." And further:

(5) The population of African descent that cultivate the lands and perform the labor of the rebels constitute a large portion of their military strength, and enable the white masters to fill the rebel armies and make a cruel and murderous war against the people of the Northern States. By reducing the strength of the rebels, their military power will be reduced. You are therefore authorized by every means in your power to withdraw from the enemy their labor force and population, and to spare no efforts,

consistent with civilized warfare, to weaken, harass, and annoy them, and to establish the authority of the United States within your Department;

(7) By recent act of Congress [July 17, 1862] all men and boys received into the service of the United States, who may have been the slaves of rebel masters, are, with their wives, mothers, and children, declared to be forever free. You and your command will so treat and regard them.

Lincoln continued to resist "for reasons that will probably never be written," Stanton says in his letter of September 16, 1866, to J. M. Ashley, the pressure and tendency toward manumission. Nine days before he finally yielded and signed the so-called Emancipation Proclamation, he said in answer to a Chicago delegation which came to advocate a decisive blow at slavery: "What good would a proclamation from me do? I do not want to issue a document that the whole world will see must be inoperative, like the Pope's bull against the comet."

But he was, as Secretary Welles says, finally compelled to succumb, and on September 22, 1862, signed a proclamation proposing to emancipate all slaves (not forever abolish slavery as a right*) in certain rebellious sections on the following first of January; and, if agreeable, to purchase or pay for freeing slaves in the loyal States and sections.

The second proclamation, that of January 1, 1863, which formally freed slaves that were already practically free by the operations of war, was equally partial. It did not touch the general fabric of slavery nor even cover all the States in open rebellion.

Secretary Seward says that the matter of emancipation "had been discussed for months before the proclamation was issued," the debates "being earnest and acrimonious," and that Lincoln was "opposed to it." At a meeting in Philadelphia on October 31, 1868, Stanton replied to the attacks made on his "war policy" by Horatio Seymour, then running for the presidency, saying among other things:

Now what was the policy of the Secretary of War? It was to pursue the enemy to the last extremity; to smite him wherever he was to be found.

*"Although not popularly so understood, the proclamation of September 22, 1862, was not an emancipatory document. It promulgated, with executive sanction, sections 9 and 10 of the confiscation act of July 17, 1862, which I believe were written by Secretary Stanton, and which, being officially proclaimed by him within five days of their enactment, were already operative," says Adjutant-General Townsend.

By day and by night it was to carry forward the flag of the United States and to trample under foot the flag of the rebels. It was to stand by Abraham Lincoln to the last, by day and by night to be at his side, to uphold his arms, to encourage him in his efforts towards liberty, to strengthen him and support him in his hostility to the enemy, and, *above all, to convince him that upon the rock of emancipation we must build our safety.*

What did he mean when he said that his policy was, "*above all, to convince him [Lincoln] that upon the rock of emancipation we must build our safety*"? If Lincoln was not opposed to emancipation, why was it "*above all*" necessary to "*convince him*" in its favor?

General Thomas M. Vincent, U. S. A., of Washington, D. C., who was assistant adjutant-general during the war and very close to both Stanton and Lincoln, says: "Lincoln resisted military interference with slaves for months and I do not believe there would have been any decisive action on emancipation except for Mr. Stanton. He created the administration policy in reference to slaves and slavery. We all understood that."

"Mr. Stanton's impatience with the slowness of President Lincoln to proclaim emancipation was great," says Charles A. Dana, "and was expressed more freely to the President than to anybody else. When the proclamation finally came, his delight and his gratitude to God were unbounded. Now, at last, he felt that no blunder and no disaster could avert the ultimate triumph of our arms."

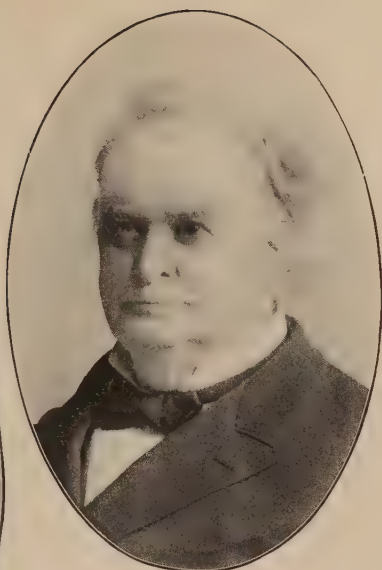
In January, 1863, he appointed a Freedmen's Inquiry Commission, composed of Robert Dale Owen of Indiana, James McKay of New York, and Samuel G. Howe of Boston, to investigate and report upon the colored population and "how they can be most usefully employed in the service of the Government for the suppression of the Rebellion."

In May of that year he established a separate bureau in the War Department to have charge of colored volunteers and sent Adjutant-General Thomas through the South to promote colored enlistments and discipline officers* who opposed the policy of employing African soldiers, and was the father of the Freedmen's Bureau.

*He himself ordered Grant to telegraph to General Sherman to "furnish facilities to organize colored troops. He [Sherman] appears indifferent if not hostile."



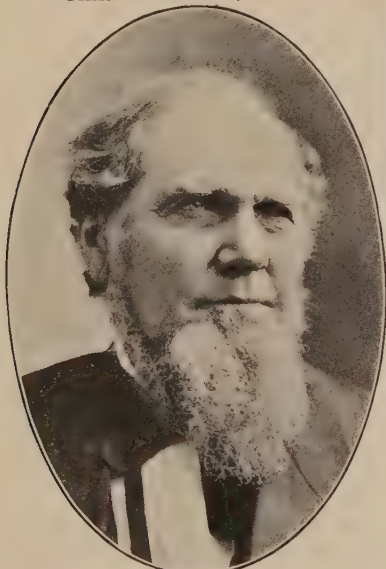
CHARLES SUMNER, U. S. S.



JAMES M. ASHLEY, M. C.



JOHN A. BINGHAM, M. C.



GEN. J. K. MOORHEAD, M. C.

"From the moment Mr. Stanton became secretary of war," says General E. D. Townsend, "he never relaxed his efforts to destroy slavery in the rebellious territory as the surest and cheapest, if not the only, salvation of the Union, and to win Mr. Lincoln over to that way of thinking."

In his first formal report to Congress Stanton declared:

Above all things it is our duty to disdain no legitimate aid that may save the lives of our gallant soldiers, diminish their labors, provide for their wants, and lessen the burdens of our people. So far from the Southern States being invincible, no enemy was ever more vulnerable if the means at hand be employed against them. The power of the rebels rests upon their peculiar system of labor which keeps laborers upon their plantations to support the ones who are devoting their time and strength to destroy our armies and our Government. It is, in my opinion, the duty of those conducting the war to strike down the system and turn against the rebels the productive power that upholds the insurrection.

In his official report for 1863 he said:

The colored troops have been allowed no bounty, and under the construction given by the Department they can only, by existing law, receive the pay of \$10 per month; white soldiers being paid \$13 per month with clothing and a daily ration. There seems to be an inequality and injustice in this distinction, and an amendment authorizing the same pay and bounty as white troops receive is recommended. As soldiers of the Union, fighting under its banner and exposing their lives in battle to uphold the Government, colored troops are entitled to enjoy its justice and beneficence.

"Stanton was the great emancipator," says Major A. E. H. Johnson. "He did infinitely more for the freedom of the black man than the President and all others combined. He did more to make him a full soldier in the army than any other person in the nation, and he used the power of war to put the negro where he could help to save the Republic. Dr. Alexander T. Augusta, a skilful negro physician of Washington, showed his gratitude for this justice and courage in behalf of his race by bequeathing five hundred dollars to Mr. Stanton."*

The hand of the martyr Lincoln did indeed *at last* formally sign a partial emancipation, but the far-seeing brain of Stanton, much in advance of that document, found a way to enlist nearly

*Dr. Augusta was appointed by Stanton to be a surgeon in the army in 1863, the first colored man given such an appointment. He served till 1867 and was made brevet-colonel for meritorious service.

two hundred thousand slaves in the army; instigated the Confiscation Act of July 17, 1862; and finally urged through the Trumbull Amendment of the constitution, which must forever stand as the real death-blow to human bondage as a legal right.

That amendment passed the Senate on April 8, 1864, and the House on January 31, 1865. When the vote was concluded at 4 o'clock in the afternoon, Congressman J. M. Ashley (of Ohio), who carried the laboring oar in the House contest, jumped into a carriage and drove rapidly to the War Office with a list of those who had voted "aye."

Stanton had already received the news by telegraph and had ordered three batteries of artillery to "fire one hundred guns with their heaviest charges" in the heart of the city. Between the thundering reverberations of this salute, which shook every house in the national capital, Stanton read aloud the names of those who supported the amendment, saying: "History will embalm them in great honor."

CHAPTER XXXV.

McCLELLAN RELIEVED—STANTON VINDICATED.

Rehabilitating McClellan and placing him in charge of the defense of Washington on September 2, 1862, produced surprising results. He gathered up the inpouring streams of stragglers and, in a wonderfully short time, manned the forts and entrenchments, organized and disposed the forces, and brought order out of chaos; but he did not, as many have claimed, save Washington.

Lee "saved Washington." The capital was lost for not less than five days after and including August 30, if Lee had known it. Its capture would have been a mere holiday excursion, but Lee was unaware of the real situation, and, feeling the severity of the punishment he had received from Pope, retired on September 3 to replenish his exhausted stores of ammunition and food. Having re-victualled his command, he inaugurated a march into Maryland towards Pennsylvania. McClellan, without direct orders to do so, suddenly marched away to intercept him.

Before engaging Lee at Antietam, however, he resumed his demand for the troops which had been retained for the defense of the capital, making this very extraordinary statement: "Even if Washington should be taken while these armies are confronting each other, this would not, in my judgment, bear comparison with the ruin and disaster which would follow a single defeat of this army. *If* we should be successful in conquering the gigantic rebel army before us, we would have no difficulty in recovering Washington."

"I have often heard Mr. Stanton speak of the singular conduct and expressions of McClellan as to the safety of Washington," says Major A. E. H. Johnson. "McClellan seemed to wish to put the capital in a condition that would compel the flight of the whole 'crew,' as he called the cabinet and the President."

Lincoln and his cabinet in flight or captivity would create a situation, McClellan believed, which would justify him in assuming

the dictatorship; and that, according to his correspondence, is what he seems to have been seeking.

If Washington had been captured in September, 1862, Jefferson Davis and his "government at Richmond" could have been its occupants within twenty-four hours; England and France* and probably other countries would have joined in recognition of the Confederacy; an army from the four hundred thousand Knights of the Golden Circle and their sympathizers, who had kept the North divided between loyalty and disloyalty, would have rushed on with their enthusiastic aid and the Union as it might have perished from the earth!

McClellan met the enemy on the 14th, 15th, and 16th of September at South Mountain and Antietam (Maryland) and was not whipped. Lincoln telegraphed to him on the afternoon of the 15th: "God bless you and all with you! Destroy the rebel army if you can!"

Although, in the meantime, the Confederates had taken Harper's Ferry, Lee's army, barefooted, foodless, and expecting pursuit, could have been wiped out, and McClellan was repeatedly ordered to pursue and crush it, but did not obey. Fitz-John Porter was standing by with thirty-five thousand veterans, in full ammunition, and, although he could have fallen upon Lee with deadly effect, he was not ordered and did not volunteer to fire a gun; and thus a day that should have scored an overwhelming victory, closed upon what was relatively a fiasco—notwithstanding the important fact that Lee's advance into the North had been effectually checked.

The telegrams from Washington ordering McClellan to proceed, to move, became frequent and mandatory. He parried them with a formal complaint that he had not horses enough and had been receiving them at the rate of only one hundred and fifty per week. Stanton ordered an official report which showed that during the previous six weeks over one million, two hundred thousand dollars had been expended for horses for McClellan's command alone, and that McClellan's officers had been receipting for an average de-

*In September, 1862, the French Emperor Napoleon, through Drouyn de l'Huys was pressing England and Russia to join in securing the independence of the South. During that month Lord Russell of England wrote officially: "The time has come to offer mediation to the United States with a view to the recognition of the independence of the Confederates. In case of failure we ought ourselves to recognize the Southern States as an independent State!"

livery of one thousand, four hundred and fifty-nine horses per week, besides many mules and "restitution" animals! One by one his excuses for refusing to advance were exploded by official records, which Stanton was careful to lay before Lincoln, though without comment or recommendation.

McClellan now announced that he would occupy Maryland Heights, "watch the enemy closely" and get ready for winter, though winter was yet a long distance away. Lincoln was in despair and appealed to Stanton. "He is in your hands," was the significant reply. In the meantime the Emancipation Proclamation (so-called) had been issued, concerning which McClellan wrote to his wife on September 25: "The President's late proclamation and the continuation of Stanton and Halleck in office render it almost impossible for me to retain my commission and my self-respect at the same time."

Colonel Albert V. Colburn, a member of his staff, states that when McClellan saw the proclamation in the *Baltimore Sun* he hurled the paper into the corner, exclaiming: "There! Look at that outrage! I shall resign to-morrow!" He made the same threat to several others, who repeated it to Stanton. He did not resign, however, but on October 5, wrote to his wife: "Mr. Aspinwall is decidedly of the opinion that it is my duty to submit to the President's proclamation. I presume he is right. I shall surely give his views full consideration."

It was his duty to promulgate the proclamation the moment it came, with the "orders of the day"; yet, when he wrote mentioning Mr. Aspinwall's advice, he had disobeyedly suppressed it for more than a week and continued to suppress it from the army until October 7. He then issued it with a curious dissertation on politics which ended: "The remedy for political errors, if any are committed, is to be found only in the action of the people at the polls." He had decided, fortunately, after long consultation and reflection, not to use his army to "remedy" what he regarded as the "political error" of the administration in issuing the Emancipation Proclamation.

In the meantime, Lee, chuckling at his easy escape out of Maryland—for he expected McClellan to pursue him—had crossed the mountains and formed a junction with Longstreet near Culpepper, Virginia, and was once more entrenched between Richmond and the Army of the Potomac, thus enabled to perform the

double duty of covering Richmond and menacing Washington with the same guns. Stanton communicated this information to Lincoln with the query: "Mr. President, what do you think now?"

"As you do," responded Lincoln, writing a memorandum order, dated November 5, 1862, relieving McClellan from the command of the Army of the Potomac and appointing Burnside as his successor, which was supplemented by an order of even date, directing McClellan to report at Trenton, New Jersey (his home), to "take command of his chickens and cabbages," the newspapers explained.* That ended his active connection with the army, although he did not make his report until August, 1863, and did not resign his commission until November, 1864—after his defeat at the polls for the presidency. Immediately following the dismissal, his partisans sent subscription papers for circulation in his behalf through the army. Stanton, declaring that the performance was an "insult to the President," ordered it stopped.

In response to an inquiry of November 11, 1862, from the preceptor of his childhood, the Reverend Heman Dyer, for an explanation of McClellan's removal, Stanton wrote among other things:

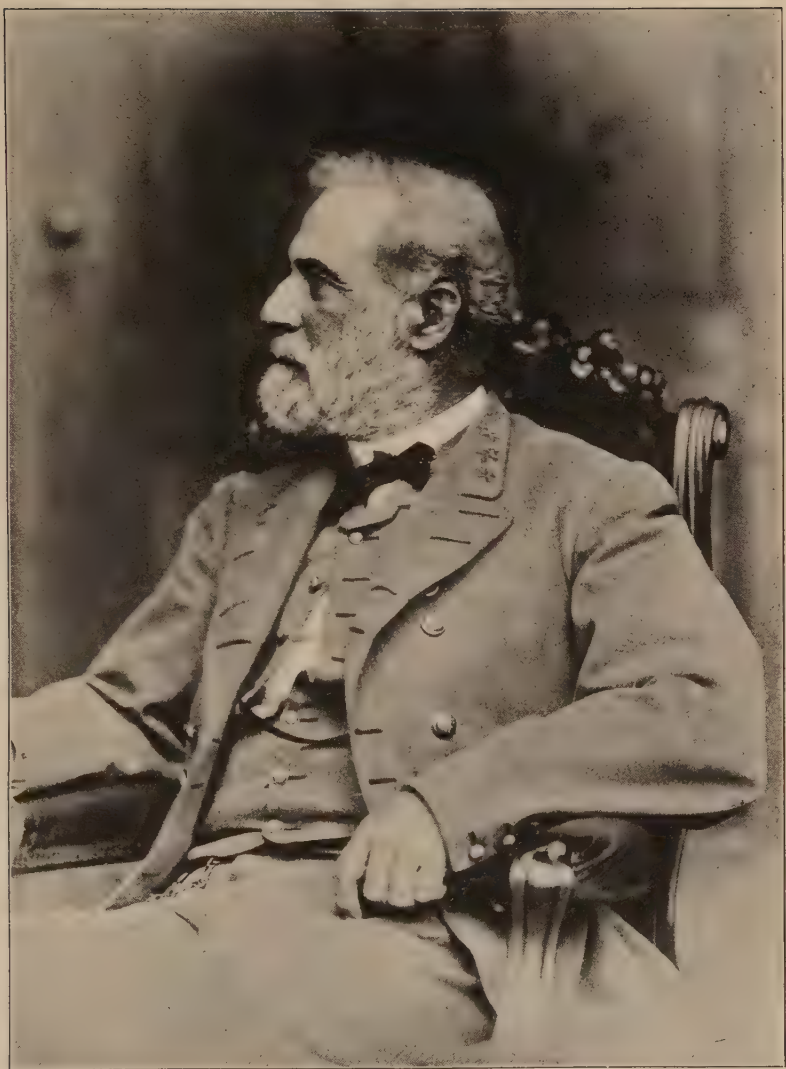
When General McClellan failed to obey the order of the President to move against the enemy, given on the 6th of October, I thought he ought to be removed on the spot. Nearly a month, time enough to have made a victorious campaign, was lost by his disobedience of orders. When his creatures and those who are enemies of the country undertook to apologize for the delay by the false pretense that they needed supplies that were withheld from them by the War Department, my duty to the country required the exposure of the falsehood and I demanded a report from the General-in-Chief.

It is not my fault that he was not removed before the New York election, after his disobedience of orders. The loss of three weeks' time rests not upon my shoulders.

In respect to any combination between Mr. Chase, Mr. Seward,† and

*General Herman Haupt says: "I ate supper with McClellan at Rector-town, Virginia, late on the evening of the night he was superseded by Burnside. I was present when the messengers arrived with the order and went with them over to Burnside's headquarters. McClellan did not expect the blow, having spent some time that evening explaining to me what he intended to do."

†No influence in favor of retaining McClellan was so strong and effective with Lincoln as Seward's. Seward and McClellan were close friends, the former always referring to the latter affectionately as "George."



GEN. ROBERT E. LEE.

myself against General McClellan, it is utterly false, for reasons needless to mention. Fire and water would as soon combine. Each does his duty as he deems right.

In respect to the imputation of selfish or ambitious motives, denial is useless. Those who make it do so in ignorance of my principles of action, or with prejudiced feeling, and like all other public men, I must expect and patiently bear misconstruction and false report.

Turning neither to the right hand nor to the left, serving no man and at enmity with none, I shall strive to perform my whole duty to this great work before us. Mistakes and faults I no doubt may commit, but the purpose of my action shall be single to the public good.

In his "Own Story" McClellan says that his removal created such a "deep feeling in the army" that "many were in favor of his refusing to obey the order and marching upon Washington and taking possession of the Government"—just what Jefferson Davis tried for four years to do, at a cost, on both sides, of over five hundred thousands of lives and several billions of treasure.

In discussing McClellan's unfortunate contest with Stanton and humiliating retirement, General M. C. Meigs, who knew him intimately, says:

When McClellan was promoted, I went to him, for I was his friend—his close friend—and said: "General, you are now in the way to occupy the place occupied by Washington. You are to be commander of all the armies and finally president. It is the greatest opportunity in the world at this time—one of the greatest of any time."

But, poor fellow, he swelled up, outgrew advice, became pompous, and wanted to be surrounded by courtiers, aides, and retinues. He seemed to have forgotten all about fighting in his overweening determination to remain at Washington and direct in grandeur. He commanded from the rear instead of the front, and so, of course, failed—fell into irretrievable disaster. Grant would have failed too, if he had adopted the same tactics—failed ignominiously.

When McClellan did leave Washington it was because Stanton literally kicked him out of town. This weakness for vain display and hanging around Washington to dine and be petted by society, is the beginning of the conduct which led to his suspension from the position of general-in-chief and finally from any command in the army.

Besides the weakness mentioned, he was always afraid that if he should actually get into a fight some of his men, if not himself, might get hurt. Grant had absolutely no fear of death for himself or his men. He hesitated to do nothing needful even when certain that great slaughter was inevitable. Like Stanton, his single purpose was to vanquish the enemy, tear the Rebellion to tatters, and he well knew, as did Stanton, that, especially when opposed by a splendid foe like ours, it could not be done for nothing.

On this point, too, McClellan failed. He had no clear comprehension of the real essence of war. Military men were astonished that he was not superseded sooner, and foreign critics that he was not court-martialed.

General U. S. Grant relates:

Having been at West Point and seen some service in Mexico, I borrowed money early in 1861 to go to Cincinnati, where General McClellan was in charge, to offer my services. I had known him in Mexico and went immediately to headquarters and was announced. Not being permitted to see him that day, I returned early in the morning, ahead of all other callers, and waited until night. He did not see me, nor fix a time for an interview, so I returned to Illinois. No harm was done; but when General McClellan attempted to subject Mr. Lincoln and especially Secretary Stanton to the same kind of treatment, the result was serious.

Major A. E. H. Johnson says Stanton "never spoke harshly of McClellan," never went further than to declare that he was "incapable of leading a fighting army and should be suspended for the safety of the Union; never questioned his motives or discussed his objects."

No sane man takes a step without "motives." In his "Own Story" McClellan says: "Taking both East and West and counting losses also by disease, I do not doubt that more than half a million of men* were sacrificed unnecessarily for the sake of insuring the success of a political party." Thus he terms the triumph of the Union arms the "success of a political party!"

As he did not belong to that party, he must have desired its defeat—which meant the defeat of the Union. At any rate, he admits his own defeat, where, on page 35 of his "Own Story," he says:

Many of the Democratic leaders did me great harm by using my name for party purposes without my knowledge or consent; and without intending it, probably did more than my armed enemies in the way of ruining my military career.

*Adjutant-General R. C. Drum gives the total losses in battle and prison, and from murder, drowning, suicide, accident, and unknown causes in the Union army from April 15, 1861 to December 20, 1867—at 359,528! McClellan was not referring to the entire war period when he put the "unnecessary" political sacrifices at "more than half a million," but to that portion following Stanton's advent, in 1862. Thus, the misstatement becomes so great that the world must be astonished that even McClellan dared to use it!

Thus he admits, first, that his "military career" was "ruined"; second, that, since the "Democratic leaders" did, Stanton *did not* ruin it!

If McClellan had followed the advice given by Stanton in the Barlow letter of November, 1861, which was to "mind his own Department and win a victory"—"keep out of politics"—he might have been elected president in 1864—certainly in 1868.

"Capture Richmond and fetch Jeff Davis to Washington," said Stanton to him in February, 1862, "and the Rebellion will be ended and you will be president." But he would not do it, nor try to do it; so Richmond was the last while Stanton insisted that it should be the first Confederate city to fall, and McClellan's "military career" was "ruined."

In 1864 the righteousness of Stanton's acts concerning McClellan were put upon trial. The so-called Democratic national convention nominated McClellan for president on a platform declaring the war a failure, and appealed to the people for a "vindication." The result was an overwhelming vindication for Stanton, only three States—Delaware, New Jersey, and Kentucky—giving their votes to "Little Mac."

*On July 27, 1861, McClellan wrote to his wife: "By some strange operation of magic I seem to have become the center of power. I receive letters often alluding to the presidency, dictatorship, etc. *I would cheerfully take the dictatorship* and lay down my life when the country is saved!" To assume command of and run everything, to establish himself as a dictator, became an infatuation which apparently never left him till he was dismissed from the army. After dining with McClellan in Washington, Dr. Ives, the Confederate spy, telegraphed to the *New York Herald*: "If the factious abolition leaders do not speedily draw in their horns they may find in General McClellan such a Tartar as the Long Parliament found in Cromwell and the Council of Five Hundred in Napoleon Bonaparte." Evidently he had disclosed to Dr. Ives his plan to imitate Cromwell by seizing the capital and driving out Congress with the bayonet. He put in writing his scheme to secure control of the entire War Department, while Cameron was yet secretary, by preparing a memorandum advocating the abolishment of the adjutant-general and the inspector-general and their Departments and "merging their functions in those of his general staff officers." He prepared an array of seventy heads of Departments to be under his own control, so that no order could be given to any officer or part of the army without his approval, thus doing away with the president and secretary of war in military affairs.

CHAPTER XXXVI.

DISAPPOINTED IN MEADE AT GETTYSBURG.

Stanton was full of aggressive excitement over Lee's proposed invasion of the North which ended in the great battle of Gettysburg, in which, on both sides, fifty-three thousand were killed, wounded, and missing. Apparently, at first, Pittsburg was the initial objective. He therefore resolved to mass an intercepting army near the border of Pennsylvania; sent all the field artillery at Watervliet (New York) Arsenal to Pittsburg by express, and telegraphed to W. T. H. Brooks, on June 10, 1863:

Intelligence received this morning of enemy's designs makes it certain that you cannot be too early or too busily at work. Pittsburg will be a point aimed at by Stuart's raid. Frankly inform the people of Pittsburg that they must be at work.

Four days later the secret service reported that Philadelphia was to be captured first and Stanton so informed Governor Curtin and, on June 14, suggested that the War Department would "offer no objection" to calling out the militia of Pennsylvania. Next day he telegraphed to all the loyal governors explaining Lee's purpose and asking how many men could be forwarded to Pennsylvania at once if the President should call for them. The replies were such that Lincoln immediately issued his proclamation and the near-by States, especially New York, began to hurry forward their militia.

By June 27 Lee's exact route was definable—Chambersburg, Carlisle, and York to Philadelphia. On that day Governor Curtin called out the militia and Stanton telegraphed that all the men enlisting under the call would be armed and equipped at Federal expense on the requisition of General Couch, who had been sent to Harrisburg.

The strength of Lee's army is a matter yet in dispute, but General Herman Haupt, director of Military Railways, and Thomas

A. Scott of the Pennsylvania railway made a careful count at Chambersburg and found two hundred and thirty-six pieces of artillery and ninety-two thousand men—all veterans and as high grade fighters as the world ever produced.

Stanton had gathered perhaps a greater army near Gettysburg, but many were raw recruits. Lee's troops, although veterans, were weary, scantily supplied with provisions, and not overstocked with ammunition, while the Federals were generally fresh and provided with everything that an omnipotent war minister and an opulent Government could supply.

General Hooker had been in command but, on the 27th, Stanton relieved him and appointed General George G. Meade in his stead. His reasons for this sudden change are not recorded; but Meade was a Pennsylvanian and, fighting in and for his native State, would call out its forces and enthusiasm. Besides, Stanton had become much dissatisfied with Hooker for permitting his camp to swarm with newspaper reporters and women,* and exasperated with him for making no decisive move to intercept Lee's raid into Pennsylvania.

General Haupt, after several interviews with him at Fairfax, learned that Hooker did not intend to oppose Lee's Northern invasion nor make any other move "without orders." Haupt hastened to Washington to disclose that fact to Stanton and General-in-Chief Halleck, and was informed, after reporting the situation, that Hooker would be superseded.†

Having appointed a new commander, massed all the troops he could get, and poured unlimited quantities of munitions and stores into southeastern Pennsylvania, Stanton, on the 29th, issued his usual "extraordinary discretion" to those in charge. General Haupt was authorized to do anything he pleased; General Dana

*The following is an official telegram of June 6, 1863, from Stanton to Hooker: "I have been trying to keep the women out of your camp, but, finding that they were going in troops under passes, as they said, from your provost marshal and commanders, I have given up the job."

†"At my interview with General Halleck," says General Haupt, "I was shown correspondence in which Hooker proposed to let Lee go unmolested into the North, while he took the Army of the Potomac South to capture Richmond. Both Stanton and Lincoln were astonished at this plan, the latter, I think, writing that to exchange Washington for Richmond would be an inexcusably bad bargain."

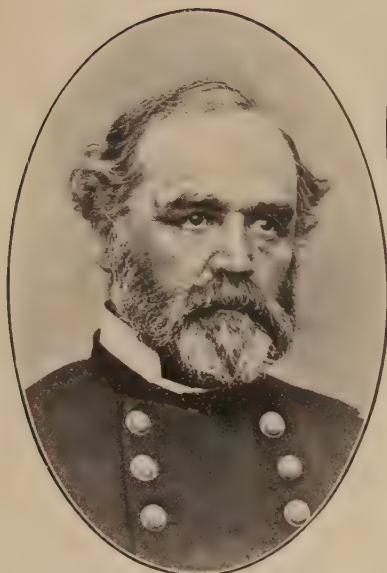
was told to impress tugs, steamers, or anything else, if necessary, and remove and save the plant and machinery of Jenks and Son at Philadelphia, makers of Government arms; President Garrett, T. A. Scott, and S. M. Felton were ordered to keep their railway lines open and running at any expense or hazard; and Quartermaster-General Meigs was instructed to "exhaust the resources of the Government" in furnishing whatever the army might need.

His telegram to President Garrett—"I know what you have done, but you must now excel yourself"—is a sample of his earnest and headlong instructions. Of General Couch at Harrisburg he inquired: "Do you need more staff officers?" So he went over the field and then, during the ensuing four days and nights, tramped back and forth among the tables of his expert telegraphers in intense excitement, watching the progress of events and sending and answering telegrams. He did not leave the office and had only a few moments of rest on the old hair-cloth lounge in his room. All this time, too, he was cheering and advising the frightened governors of the border States and strained with anxiety for Grant, who was grimly hammering the tremendous fortifications about Vicksburg.

Unquestionably he had expected not only that Meade would win, but that Lee would be captured and his army annihilated. He sent word privately by General J. A. Hardie, who bore the order suspending Hooker and appointing Meade, that "whoever captures Lee will be president," and suggested: "Tell Meade he can whip Lee and starve him," knowing that the insurgents were not equipped for a long fight, and considering that Meade was a Pennsylvanian, fighting on his native soil.

On the evening of July 3, after two days of insurgent charging unexcelled for intrepidity and persistence, Lee was whipped. His horses were without forage, his heavy ammunition was exhausted, some of his men were without rations, his dead were rotting in the sun, his wounded were suffering, his army was demoralized, and he himself discouraged.

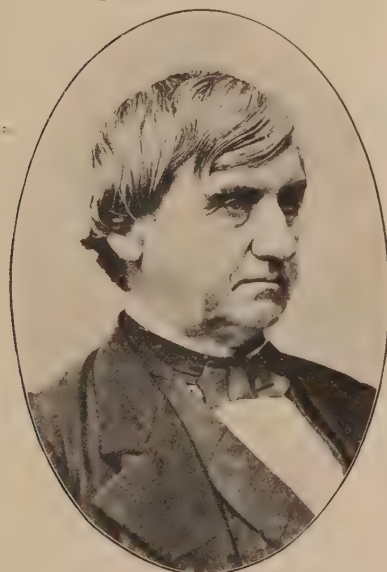
Now was the time for Meade to strike the blow supreme, to fulfil the instructions of Stanton, who was so perfectly sure that it would be done that he could hardly restrain his exuberance. But next morning, while attending to his wounded and burying his dead, General Lee organized the main body of his broken and dispirited army for a retreat, and, with absolutely no interference from



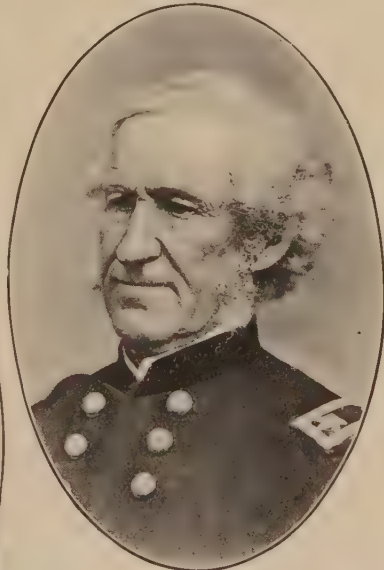
GEN. MONTGOMERY C. MEIGS,
Quartermaster-General.



GEN. JAMES K. BARNES,
Surgeon-General.



JUDGE JOSEPH HOLT,
Judge Advocate General.



GEN. LORENZO THOMAS,
Adjutant-General.

Meade, withdrew to the Potomac! At this moment General Haupt, a class-mate of Meade's at West Point, and an engineer who knew every foot of ground in the vicinity, appeared at headquarters and urged immediate pursuit. Meade answered that his men "needed rest," to which Haupt retorted: "They cannot be so tired as the enemy. They are fresh, they have been fighting behind stone walls, they are not foot-sore, and they have an abundance of provisions. I will have the rail and telegraph lines open in the morning to Baltimore, Washington, and elsewhere, so there will be no lack of transportation, and you must pursue Lee and crush him. This is the critical moment of the war. Lee's men are worn out and hungry; his ammunition and stores must be exhausted and his supply trains can be easily cut off. He is in desperate straits, like a rat in a trap, and you can whip and capture him."

Thus Haupt argued and pleaded, but without avail. His old class-mate was afraid to make an offensive march against Lee, the fearful, bloody contest just closed having been defensive on his part. Convinced that he had measured the situation correctly, Haupt mounted an engine and rushed to Washington as fast as steam could carry him to confer with Secretary Stanton and General-in-Chief Halleck. The former was dumbfounded by the information brought to him and requested Haupt to go with Halleck to Lincoln while he himself "talked" with Meade by telegraph. What he said to Meade was purposely left unrecorded, but an hour later he walked rapidly to the White House, where he found the conference between Lincoln, Halleck, and Haupt about concluded. Lincoln inquired:

"What shall we do with your man Meade, Mr. Secretary?"

"Tell him," said Stanton to Haupt, "that Lee is trapped and must be taken," and then, turning to Lincoln, added: "He can be removed as easily as he was appointed, if he makes no proper effort to end this war *now*, while he has Lee in a trap."

After some further talk Haupt returned to Gettysburg. What he communicated to Meade is not recorded, but before he arrived, Stanton, Halleck, and Lincoln* had anticipated his message with

*Lincoln telegraphed to Meade that he saw "a purpose to get the enemy across the river [Potomac] without a further collision" instead of a "purpose to prevent his crossing and to destroy him." To General Thomas he telegraphed that Meade was "as likely to catch the man in the moon" as the enemy "unless the army moved faster," and to Simon Cameron that

some very urgent and significant telegrams for an immediate advance.

Colonel S. G. Lynch, private secretary to the Superintendent of the Military Telegraph, says the most decisive of Stanton's telegrams to Meade and the replies thereto were "talked" over the lines, "the Secretary desiring to avoid making a harsh written record against his General." Their character may be inferred from this to Brigadier-General Kelly on July 4, sent some hours before he had been aroused by Haupt's disclosures:

I regret to hear you talk about "some days" to concentrate when minutes are precious. * * * Rapid and vigorous motion will enable you to inflict a heavy blow upon the enemy. It will be a matter of deep regret, if, by tardy movement, you let the chance escape. There must be no rest night or day.

His disappointment was inexpressible. He had exhausted the loyal States and the Government to give Meade every item of support that possibly could be needed. He expected the instrumentalities thus provided would be used to the utmost, knowing that if they were so employed Lee could not get away and the Rebellion would be permanently crippled. He declared that "since the world began, no man ever lost so great an opportunity to serve his country as Meade lost by neglecting to strike his adversary at Williamsport."

Lee was permitted to escape over the Potomac, only thirty miles distant, although he did not cross until the 14th, owing to high water; Meade offered his resignation (which was not accepted) in consequence of the telegrams sent to him from Washington which he did not obey, and the Rebellion continued nearly two years longer.

"Meade, Couch, Smith, and all, since the battle of Gettysburg, had striven only to get Lee over the river without a further fight."

CHAPTER XXXVII.

A THRILLING RESCUE—ROSECRANS SAVED.

On the night of September 22, 1863, Stanton received a confidential telegram from Assistant-Secretary C. A. Dana, at the front, giving an accurate account of the Army of the Cumberland, under General W. S. Rosecrans, just defeated at Chickamauga. Horses were without forage and dying by the thousand, and soldiers were on half-rations and without fuel. A few (General Garfield said ten) days would starve out the army and give the Confederates control of the western gateway between the North and South—an immeasurable disaster.

Stanton knew that reinforcements could not come from General Sherman, and that General Banks had all he could do to save his own army. The Army of the Cumberland could be saved, if at all, only by forces from the Potomac. He came to a decision at once and sent orderlies scurrying through the District to summon Lincoln (from the Soldiers' Home), General-in-Chief Halleck, and the cabinet officers to a conference in the War Department. Nearly all were in bed, but they arose hurriedly in response to Stanton's imperative and unceremonious summons: "The Secretary of War wants to see you at once at the Department."

Stanton read the telegrams from Dana disclosing that without heroic measures fearful disasters were in store, but no one suggested a remedy. He then said he proposed to send twenty thousand veteran troops from the Army of the Potomac over the mountains to Chattanooga, and thought it could be accomplished in five days. Lincoln exclaimed: "I'll bet you can't even get them to Washington in five days," and General Halleck declared that the proposed transfer "could not be made in less than forty days."

The entire cabinet* sided with Lincoln and Halleck, but after reading Garfield's telegram saying the army would be starved in

*Chase, in his diary, says that finally himself and Seward joined Stanton.

ten days, Stanton insisted that the rescue was imperative, that the movement could be made, and, furthermore, that he intended to make it.

General D. C. McCallum, but lately appointed director of Military Railroads, who had been sent for during the discussion, now arrived. He had been "posted" by General T. T. Eckert as to what was going on, says W. H. Whiton, his chief clerk, and was ready with a reply. The proposition was stated by Lincoln, and then Stanton inquired:

"If you have supreme authority and abundant transportation, how quickly can you make the transfer?"

"I can complete it in seven days," answered McCallum.

"Good! I told you so! I knew it could be done. Forty days! Forty days indeed, when the life of the nation is at stake!" exclaimed Stanton, turning scornfully toward Halleck, and added to McCallum: "Go ahead; begin now."

Major A. E. H. Johnson, in charge of the telegraph records, was present, and describes what followed:

"Mr. Secretary," said Lincoln, "I have not yet given my consent." With a quick burst of impassioned eloquence so natural to him, Mr. Stanton declared that the Army of the Cumberland would be destroyed, never to be replaced; that Chattanooga would be lost, and that probably Burnside's whole army would be lost. Then, referring to Washington, he declared that it would be safe. On that night, as on many an occasion before, his great powers as war minister were exercised in a spirit that overruled the President, for in matters of determination and will he was aggressively superior to all the cabinet, including the President.

Having thus conquered opposition and sent an orderly with Lincoln back to the Soldiers' Home, he did not retire, but began setting the machinery of his thrilling plan of rescue in motion. While waiting for the messengers to bring Lincoln and the cabinet members, he had telegraphed to John W. Garrett, Thomas A. Scott, and S. M. Felton, the railway managers, to come to Washington as soon as possible, and asked for essential information from the several railway superintendents south of the Ohio River, this being a sample:

September 23, 1863, 11:20 P. M.

Brigadier-General Boyle, Louisville:

Please ascertain and report to me immediately:

1. How many men can be transported by employing the entire rolling

stock of the road from Louisville to Nashville, enumerating the cars of every description that could be employed?

2. How many hours are usually required to make the trip from Louisville to Nashville, and at what rate of speed?

3. Is the road from Nashville to Chattanooga the same gauge as the road from Louisville to Nashville, so that cars can go directly from Louisville to Chattanooga, and what time is required from Nashville to Chattanooga?

4. If the gauge of the roads is different, what is the supply of rolling stock on the Nashville and Chattanooga road?

At 3:30 A. M., September 24, Stanton telegraphed to Charles A. Dana: "We have arranged to send fifteen thousand [twenty-three thousand] infantry under Hooker, and will have them in Nashville in five or six days, with orders to go immediately to wherever Rosecrans wants them." A few minutes later he ordered Hooker by wire to seize and use all the railways he might need and to command all the "officers thereof" to help and obey.

At breakfast time President Garrett arrived in the War Office, followed before noon by T. A. Scott and S. M. Felton, from whom the amount of rolling stock instantly available was learned. Stanton had not yet slept nor eaten, and Townsend, the adjutant-general, was trotting about with a half-eaten sandwich in one hand and a bundle of Stanton's orders to be sent "immediately" in the other.

In the meantime McCallum, with supreme written authority over the entire enterprise, had set out for Virginia, leaving W. H. Whiton, his chief clerk and assistant, in charge. In the Whiton manuscript occurs this passage:

Oh, it was an eventful night! While in the quiet hours the nation slumbered, its great War Secretary inaugurated and put in motion a mighty movement to save its army and perchance its life. All night he toiled and planned and directed—no rest for his exhausted brain, no sleep for his weary eyes.

Morning came and we were electrified by a despatch saying the first train-load of troops had left Washington—troops that at midnight were asleep in their tents miles away!

Every half-hour a fresh train was started, and, once in motion, was not stopped or delayed except for wood and water. At all wood and water stations relays of men from the commissary department supplied coffee and cooked rations abundantly to the soldiers. No one was allowed to leave the cars. Food and drink were swallowed as the trains moved and the boys were satisfied.

Train despatchers and station agents along the lines were made captains by telegrams from Stanton, with orders to arrest any soldier leaving

the trains or any person interfering with their movements, and thus our military czar rushed his troops to the rescue.

Having learned, in response to his inquiries, where the gauges of the several roads changed, Stanton telegraphed to Amasa Stone of Cleveland, to "go at once and take possession of the roads south of the Ohio River and provide for more rolling stock. Call upon every railroad and manufacturing company for its instant aid for that purpose and I will also issue telegraphic reports to such as I can get knowledge of." Stone could not go instantly, so T. A. Scott was despatched in his place and performed the task with consummate ability.

At 9:10 P. M. of September 25, the eleventh army corps had fully embarked at Manassas, Virginia, and the next morning Hooker telegraphed to Rosecrans: "I leave with forty rounds for men; twenty rounds for artillery; sixteen thousand infantry and nine batteries. Be ready with supplies, orders, etc., for one thousand one hundred horses and twenty-three thousand men."

A similar telegram came to Stanton, who then, for the first time in three days, sought rest. Tying a handkerchief wet with cologne about his head, he stretched out on the office couch to sleep. He had won by causing the military and railroad worlds to jump and spin as they never before spun and jumped, and was entitled to a moment of respite.

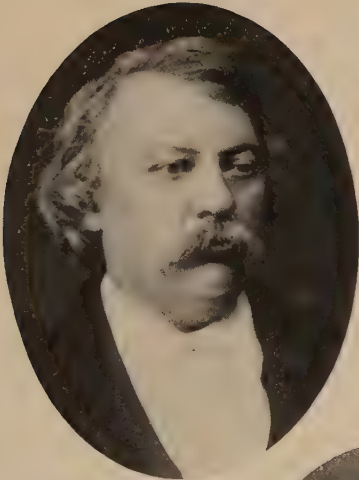
The great caravan six miles in length whirled over the Alleghanies without accident, save that a few soldiers riding on the outside of the cars were frozen to death by the swift motion of the trains through the cold atmosphere of the mountain summits; and there was a momentary delay to the first trains while T. A. Scott (who by Stanton's order impressed eight thousand negroes to change the gauge of the Louisville and Lexington Railroad) was throwing in a short connecting link to the Frankfort railroad.

Another interesting statement occurs in the Whiton manuscripts, as follows:

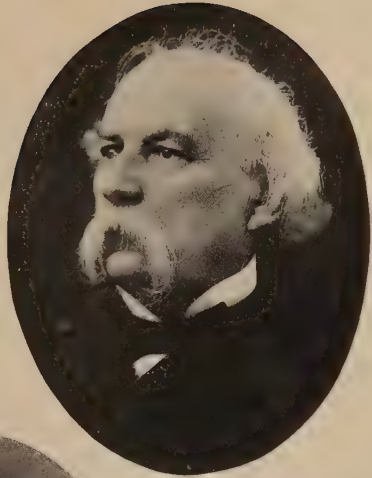
Mr. Stanton watched the progress of the troop trains with anxiety. Reports of each train as it passed given points were telegraphed, so that he was kept fully informed.

The first train arrived at Jeffersonville, on the Ohio River opposite Louisville, at about 1 o'clock at night. The soldiers marched at once aboard a steamer in waiting, where a hot, full meal was ready for them.

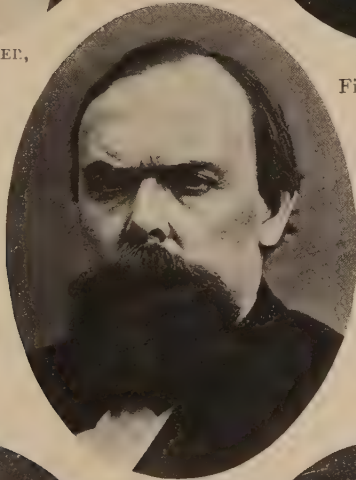
They ate as they crossed the stream and, on reaching shore, fell in at



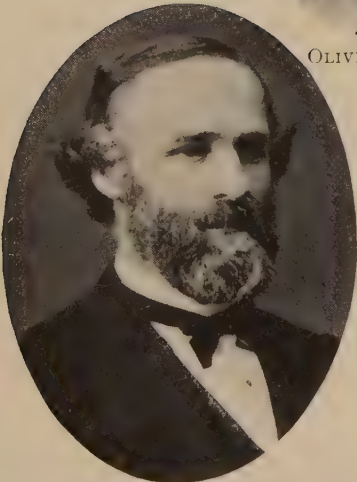
MATT. H. CARPENTER,
U. S. S.



WM. H. TRESCOT,
First Secession Agent.



OLIVER P. MORTON.



HENRY L. DAWES, M. C.



JUDGE DAVID K. CARTER.

double quick for the railway station. In one hour and three-quarters their train pulled out for Nashville, Tenn.

We now were positive that the entire transfer would be complete within the seven days promised by McCallum. Secretary Stanton, for the first time since the movement began, had gone to his home. General Eckert and myself talked the matter over and decided to give him our latest information and walked together to his house for that purpose. It was 4 o'clock when we rang the bell. Although he had been asleep but a short time, the news was so gratifying that he arose and returned with us to the Department, where report followed report of arriving trains.

The expedition having safely arrived, Stanton, accompanied by General Anson Stager, left on a special train for Louisville by way of Indianapolis to create the Department of the Mississippi and place Grant in command of it. Having done this, he telegraphed to Assistant-Secretary P. H. Watson from Louisville:

General Grant reached Nashville safely yesterday. * * *
Generals Garfield and Steedman are here on their way home. Their representation of the incidents of the battle of Chickamauga more than confirms the worst that has reached us from other sources as to the conduct of the commanding general* [Rosecrans] and the great credit that is due to General Thomas.

I expect to leave for home to-morrow, having completed all arrangements in regard to railroad management and transportation. I will not make as quick time† returning as I did coming here.

Thus the Army of the Cumberland was saved; the rout at Chickamauga turned to victory; the Confederate power of the West permanently broken and Sherman's destructive march to the sea made possible!

*It would be unjust to infer from Stanton's blunt telegram that Rosecrans was cowardly or recalcitrant, for he was not. He was a good fighter, "but," says Colonel Robert F. Hunter of Washington, D. C., a graduate of West Point and one of Rosecrans' close personal friends, "Rosey occasionally tiptoed and of course sometimes at an exceedingly inopportune moment. That, unfortunately, was the case at Chickamauga."

†The run from Washington to Indianapolis was made at the highest attainable rate of speed. In Ohio, when the train held up for water and fuel, Stanton alighted and asked the engineer how he was getting on. The reply was: "Great God! You'll get through alive if I do."

CHAPTER XXXVIII.

NEWSPAPER HOSTILITY—THE WAR DIARY.

Stanton was not popular with newspapers. He never sought their favor and, as secretary, held them strictly within what he believed to be the limits of national safety. In his order of February 26, 1862, he decreed:

All newspapers publishing military news, however obtained, not authorized by official authority, will be excluded thereafter from receiving information by telegraph and from transmitting their publications by railroad.

Although this was modified next day by an order "permitting newspapers to publish past facts, leaving out all details of military forces, and all statements from which the number, position, and strength of the military forces of the United States can be inferred," the press, as a whole, was greatly exasperated. However, the summary imprisonment in Fort Henry of Dr. Malcolm Ives of the New York *Herald*, held reporters, editors, and publishers considerably in check, though much against their will. Ives forced his way into the War Department on the evening of February 8, 1862, and threatened the administration with chastisement by the *Herald* (which threat that paper fully repudiated) if he should not be given free access to whatever information might be on file. The order of arrest was published as a general warning to correspondents and reporters and concluded thus:

Newspapers are valuable organs of public intelligence and instruction, and every proper facility will be afforded to all loyal persons to procure, on equal terms, information of such public facts as may be properly made known in times of rebellion. But no matter how useful or powerful the press may be, like everything else, it is subordinate to national safety. The fate of an army or the destiny of a nation may be imperiled by a spy in the garb of a newspaper agent. The nation is in conflict with treason and rebellion, and may be threatened by foreign foes. The lives and fortunes of 20,000,000 of people, and the peace and happiness of their posterity in the loyal States, the fate of public liberty and of republican government, are

staked on the instant issue. The duties of the President, his secretary, of every officer of the Government, and especially in the War Department and military service, are at this moment urgent and solemn duties—the most urgent and solemn that ever fell upon man.

No news-gatherer or any other person for sordid or treasonable purposes can be suffered to intrude upon them at such a time to procure news by threats or spy out official acts which the safety of the nation requires shall not be disclosed. For these reasons the aforesaid Ives has been arrested and imprisoned, and all other persons so offending will be dealt with in like manner.

Nevertheless he was unable to prevent the publication of false reports of victory or defeat, exaggerated statements of losses in battle, unfounded "rumors" of prominent commanders killed, and sensational plans of army movements. But the faults complained of did not lie wholly with the newspapers. General Herman Haupt says:

Public opinion, in and out of the army, was manufactured by the pen. Most commanders did not dare to be on terms of familiarity with the large and enterprising corps of newspaper correspondents, and General McDowell went so far as to station a guard about the telegraph instruments so the reporters could not intercept telegrams. But McClellan made a point of being friendly and condescending to them and frequently invited them to dine with him. Thus, while he was falsely puffed and written up as the "Little Napoleon," the "Savior of the Country" and all that, the other commanders, Secretary Stanton especially, were written down, maligned, and misrepresented on every possible occasion.

William H. Russell of the London *Times*, who was expelled by Stanton from McClellan's command for sending out army secrets and false news, was one of McClellan's particular friends, and received his "news" personally from the "Little Napoleon."

Other commanders were friendly with reporters. On April 30, 1863, Stanton wrote to General Hooker at Falmouth, Virginia:

You must protect yourself by rigid means against the newspaper reporters in your army, and the Department will support any measure you may take. Unless some one shall be punished you may suffer great injury. * * * * Exaggerated reports have been sent by mail to the *Times* and *Herald*, but nothing has been allowed to go by telegraph.

Again on May 2 he telegraphed to Hooker:

We cannot control intelligence in relation to army movements while your own generals are writing letters giving details. A letter from Gen-

eral Van Alen to a person not connected with the War Department fully describes your position and entrenchments at Chancellorsville. Can't you give his sword something to do so he will have less time for the pen?

Stanton telegraphed to General Meade that reporters were securing news from his headquarters through his chief-of-staff, who should be suppressed or removed; and when Meade wrote a letter to Senator Reverdy Johnson concerning the battle of Gettysburg, he was called to account with severity, Stanton asking him for his authority for such a letter and reminding him of prior suggestions that all communications concerning the war must be sent through the War Department only.

In December, 1864, Grant wrote to him concerning cooperation of the navy in an attempt to reduce Wilmington, North Carolina, saying he himself would not correspond with that Department. Stanton answered: "You can count on no secrecy in the navy. Newspaper reporters have the run of that Department."

Grant cooperated effectively in preventing military secrets from reaching the newspapers, all telegraphic communication with army headquarters except on Government business being absolutely prohibited by Stanton's order. In November, 1864, Grant asked Stanton to exclude certain newspapers containing army secrets from Southern circulation, calling attention to a publication in the *New York Times* of Sherman's plans. On November 11, 1864, at 10 P. M., Stanton replied:

I have seen with indignation the newspaper articles referred to and others of like kind, but they come from Sherman's army and generally from his own officers, and there is reason to believe he has not been very guarded in his own talk. I saw to-day, in a paymaster's letter to another officer, his plans as stated by himself. Yesterday I received full details given by a member of his staff to a friend in Washington. Matters not spoken of aloud in the Department are bruited by officers from Sherman's army in every Western printing-office and street. If he cannot keep from revealing his plans to his paymaster, and his staff send them broadcast over the land, I cannot prevent their publication.

Papers like the *Chicago Times*, *New York News*, and many others of lesser calibre* were suppressed, sometimes for long

*John D. Kees of the *Ohio Watchman*, who was immured in the Old Capitol Prison on Stanton's order for publishing articles against enlistment, sued, on being released, for \$30,000 damages for false imprisonment, but was defeated, as was every other editor of this class who resisted.

periods, and all War Department subordinates were prohibited from giving information even of a personal nature to reporters and correspondents. Stanton had no faith in officers who consorted freely with and toadied to newspapers, and understood fully the undeserved unpopularity the angry press was creating for himself. In the letter to Dr. Heman Dyer of New York, dated May 18, 1862, but not discovered until after its author had been dead twenty years, he thus referred to the almost universal enmity of the press:

If I wanted to be a politician or candidate for any office, would I stand against the whole newspaper gang in the country, of every part, who, to sell news, would imperil a battle?

I was never taken for a fool, but there could be no greater madness than for a man to encounter what I do for anything less than motives that overleap time and look forward to eternity.

He referred to the matter at other times, as his private letters show, but during his lifetime the public never knew what he thought or how he felt about the attitude of the newspapers. On July 30, 1862, he closed a letter to General J. K. Moorhead of Pittsburg, thus: "I will only add that the dogs that have been yelping at my heels, finding how useless it is, appear to be giving up the hunt and contenting themselves with an occasional snarl."

On May 22, 1863, he wrote to Assistant-Secretary P. H. Watson:

I received the enclosed impertinent note from Gay of the *Tribune*. Of course I shall not answer it, but it might be well, if you have the leisure, to call and see Mr. Greeley and explain the facts in regard to Hill.

As to Gay's* impertinent inquiry in respect to privileges, you can say that all have equal rights. But neither rights nor privileges can be allowed to one who violates rules of the Department for altering or publishing official business.

On November 19, 1864, he wrote to S. P. Chase:

Your experience has taught you that newspaper reports are lies, invented by knaves for fools to feed on. This is especially true in respect of cabinet changes and the chief-justiceship. Changes in the cabinet will of course take place, but they will be made in time and manner that no one will be looking for.

In regard to the chief-justiceship, I learn from outside sources that

*Gay was manager and A. S. Hill Washington correspondent of the *New York Tribune*.

Swayne is the most active and Blair the most confident of the candidates. My belief is that you will be offered the appointment, if it has not already been done.

"No newspaper reporter ever came to Mr. Stanton or to any officer of the War Department for news," says Major A. E. H. Johnson. "He held all officials to a rule of strict non-intercourse with reporters and correspondents. Of all the branches of Government, the War Department was the last resort of reporters. For this the newspapers reveled in denunciation and abuse of Mr. Stanton. But if ever a tyrant was right, it was the great War Secretary, and his persistent and unrelenting tyranny was the colossal factor that made this nation what it now is."

Stanton's notion that unbridled freedom to all grades of newspapers is dangerous, in time of rebellion, received frequent confirmation. On the morning of May 18, 1864, the *World* and the *Journal of Commerce* of New York contained what purported to be a proclamation by President Lincoln setting aside the 26th of the month as a "day of fasting, humiliation, and prayer," and calling for four hundred thousand more troops to be furnished before June 15, following, or raised by a "peremptory draft." The document, although subsequently proven to be spurious, was in Lincoln's style, and created excitement akin to panic in New York City. The substance of it was telegraphed to Stanton, who instantly ordered General Dix (commanding at New York) to seize and close the offices and arrest the editors of the newspapers publishing the proclamation and seize the offices of the telegraph line which was supposed to have transmitted the forgery from Washington to New York.

Having telegraphed this order "confidentially" to Dix, Stanton proceeded to the White House and asked Lincoln to issue a proclamation authorizing what he himself had already directed to be done. Dix acted decisively, closing the several offices mentioned and arresting editors, managers, telegraph operators, and other employes as rapidly as they could be apprehended. On the 20th he arrested Joseph Howard, formerly private secretary to Henry Ward Beecher, who confessed authorship of the forgery and was sent to Fort Lafayette. In his confession Howard exonerated the editors of the offending papers, which fact was reported to Stanton, who replied by telegraph to Dix:



GEN. THOMAS T. ECKERT.



GEN. ANSON STAGER.



RICHARD O'BRIEN.



ALBERT B. CHANDLER.



L. A. SOMERS.



WM. BENDER WILSON.

UNITED STATES MILITARY TELEGRAPH CORPS.

Your telegram respecting the arrest of Howard has been received and submitted to the President. He directs me to say that while, in his opinion, the editors, proprietors, and publishers of the *World* and the *Journal of Commerce* are responsible for whatever appears in their papers injurious to the public service, and have no right to shield themselves behind a plea of ignorance or want of criminal intent, he is not disposed to visit them with vindictive punishment; and, hoping they will exercise more caution and regard for the public welfare in the future, he authorizes you to restore to them their respective establishments.

On the 23d the newspapers involved were allowed to resume publication as usual. The decisive steps Stanton had taken against them, however, were denounced without measure by the press, and Governor Seymour wanted the grand jury of New York to investigate the matter, declaring that the author of the "illegal" seizure must be punished!

Stanton cared nothing for that. He well knew the necessities of the situation. Hoaxing had been, to a considerable extent during the war, a newspaper fad. A forged report purporting to have been made by the Confederate Secretary of the Navy had led Secretary Seward to open correspondence with Great Britain, and a series of spurious letters over the name of Jefferson Davis had created considerable official disturbance in another direction. Therefore, when Stanton found his own Department entangled in a forgery and could lay his hand upon the perpetrator, he determined to strike a deathblow to the entire business and did so with such swiftness that the offense was not repeated.

His desperate devotion to duty is illustrated anew by an incident connected with this forgery. When he forwarded the first instructions from Washington, Dix replied that he was "investigating the gross fraud of this morning," not meaning, however, that there would be any hesitation in obeying orders. Stanton answered: "Your telegram is just received. A great national crime has been committed by the publication. The editors, proprietors, and publishers, responsible and irresponsible, are in law guilty of that crime. You were not directed to make an investigation but to execute the President's orders. * * * How you can excuse or justify delay in executing the President's order until you make an investigation is not for me to determine."

Dix, hardly less stern and impartial than Stanton, fully appreciated the aggressive patriotism of his superior and relished rather than resented the not infrequent rebukes, like the foregoing, which

reached him, for he knew they were intended to benefit his country.

Previous to the forgery just described, Stanton conceived and had begun to put forth a "war diary" as an effective means of destroying the power of conscienceless newspapers and correspondents. Although already worn nearly to prostration by the multiplicity and weight of his burdens, he undertook the new duty of summarizing each day's military events and movements throughout the country and giving that summary over his own signature to the press before retiring for the night. These bulletins or gazettes, dated variously between 8 P. M. and 2 A. M., are models of compactness, completeness, and clearness. The marches, sorties, battles, losses, captures, conditions, and achievements of every command in the army were set forth with forceful brevity, so that each morning the eager masses were treated to a vivid panorama of the vast field of national strife that, but an hour before, had been painted and signed by the chief artist, the Secretary of War himself. Frequently these descriptions were of considerable length and eloquence. When he was returning by sea on the *Spalding* from a visit to General Sherman at Savannah, he received on board ship from General Terry, on Tuesday, January 16, 1865, the Confederate flag just taken from Fort Fisher, at the mouth of Cape Fear River. From the officers and men who participated in that desperate and bloody assault, nearly all of whom he promoted on the spot, he obtained the facts just as they were, and rapidly composed and sent to the people, though directed to the President, a telegram a column in length which caused the national heart to thrill and rejoice—for Fort Fisher had been an effective protection to Wilmington, the only seaport through which foreign goods reached the insurgents.

Gazettes like this came to the people as verities, supplanting all forms of newspaper and other unofficial information. Although the "war diary" did not drive "war correspondents" out of business, it entirely suppressed fabricators of sensational rumors and peddlers of false reports, and wiped out the power of hostile and quasi-disloyal papers to weaken the Government effort or harass the administration.

This "diary" continued until the war closed and Lincoln's assassins were in captivity, and is a unique feature of military administration. The bulletins, although addressed ostensibly to General John A. Dix, in New York, were in fact given directly to

the associated press operators by Stanton himself and accomplished more in the way of unifying and inspiring the people, reflecting Lincoln, destroying the news fakir, and hastening the end of hostilities than any other instrumentality of similar character. They were official, signed by Stanton as secretary of war; but, during the six years of his incumbency, he did not otherwise address the public—submitted to no interview, answered no attack,* prepared no magazine articles, made no defense, wrote no book, and held his subordinates rigidly to the same line of decorous military conduct. But times have changed. The number of books, pamphlets, magazine and newspaper articles produced by the participants in the recent Spanish-American war far exceeds the aggregate casualties on both sides of the conflict!

*There are two exceptions to this statement—when he published a denial in the New York *Tribune* of responsibility for the victory at Fort Donelson and when, on May 12, 1865, he ordered Edwards Pierrepont to prosecute Horace Greeley for suggesting a vacancy in the office of secretary of war:

"I have written to-night to retain you, Cutting, and Brady, or any one else you may desire to have associated with you, to prosecute Horace Greeley and the owners of the *Tribune* for Greeley's persistent effort the last four weeks to incite assassins to finish their work by murdering me. Please give the matter your immediate attention on receiving the letter and secure copies of all *Tribunes* published since the night of the President's murder; also the names of the owners. I propose to prosecute criminally and by civil suit. I shall not allow them to have me murdered and escape responsibility without a struggle for life on my part."

A few days later Stanton furnished proof of malice on the part of Greeley, but the proposed suit was never brought nor was the public aware that it had been contemplated.

CHAPTER XXXIX.

PERFECT AUTOCRACY—THE MILITARY TELEGRAPH.

When he became Secretary Cameron's legal adviser, after the bombardment of Fort Sumter, Stanton urged the necessity of acquiring control of all telegraph lines in the country, and retaining it to the end of hostilities. He had been a director in and attorney for the old Atlantic and Ohio Telegraph Company and engaged for years in the litigation between S. F. B. Morse and the telegraph companies, which gave him a full understanding of the vast possibilities of telegraphy as an instrument of national defense. Cameron made an attempt to follow his advice, but interference by the State Department rendered it ineffective. In August, 1861, General McClellan, who had just reached Washington, approved a censorship which was handed over to the State Department to be managed by an "instrument-maker" from Philadelphia. This arrangement continued until Stanton swept the management of all the telegraph offices and lines in the United States into the War Department by the order of February 26, 1862.

On March 2, having appointed E. S. Sanford supervisor and Anson Stager superintendent, he concentrated the control of the telegraphic machinery of the nation next to his own rooms. Therefore the telegraph bureau had been managed by General McClellan, and he never forgave Stanton for what he termed "his humiliation."* The change thus wrought was magical. By a single stroke the supply of inside Federal news was cut from the Richmond papers; army officers and high functionaries were prevented from using the lines for Wall Street speculations, and spies

*"There was consternation in McClellan's headquarters," says John Francis Coyle, editor of the *National Intelligencer*, "when Secretary Stanton removed the telegraph outfit. Little Mac's rooms were free and the telegraph lines free. Everybody used them and there were no secrets. It was common to see fifty miscellaneous persons about the headquarters, including women and reporters, and everybody knows what that meant. It was all very exasperating to Mr. Stanton."

were excluded from the telegraph records.

Energy, concentration, and ceaseless espionage now assumed charge, making what William Bender Wilson of Philadelphia, a distinguished authority,* says "became the most wonderfully accurate, reliable, and intelligent system in the world." Men of loyalty and executive ability, in whom Stanton had implicit confidence, were placed in command, inventing and using a cipher code which the Confederates were never able to unlock, and which the operators and translators never betrayed.

"The first cipher code," says Albert B. Chandler, president of the Postal Telegraph Cable Company, "was a meagre affair arranged by General Anson Stager and printed on a card. The additions and improvements which made the code perfect and brought it finally to book form, were the work of the chief cipher operators of the Department"—Albert B. Chandler, General T. T. Eckert, C. A. Tinker, and D. Homer Bates.

The War Office was placed in direct communication with every arsenal, general, military depot, military prison, barracks, rendezvous, camp, and fort in the Union and, by Stanton's order, every message to, from, and between them passed through the Department and was therein deciphered and a recorded duplicate placed upon his desk.

Even Lincoln was deprived of the use of a special code and sent and received messages through the common channel. A deep box was provided in the operating room into which copies of all messages for him or which he ought to see, were dropped. "He came over from the White House several times a day," says Major A. E. H. Johnson, who had charge of the telegraph records, "and, thrusting his long arm down among the messages, fished them out one by one and read them. When he had secured the last one he invariably made some characteristic remark—generally something that caused laughter—and then proceeded to consult with Secretary Stanton."

As far as possible, at the outset, Government business was

*Says Mr. Wilson: "On April 17, 1861, I went with Thomas A. Scott to Governor Curtin's office at Harrisburg, and there, with a relay magnet and a key placed on a window sill, opened the first Military Telegraph office on this continent." A day or two later Mr. Scott took D. Homer Bates, David Strouse, Samuel M. Brown, and Richard O'Brien from the Pennsylvania line to establish the first Military Telegraph at Washington.

done over existing telegraph lines; but, when necessary, new lines were strung throughout the Union either to reach camps or battlefields, or as loops between disconnected commercial systems.* The telegraph office of the War Department was kept open night and day and "during distressing periods," says L. A. Somers of Cleveland, who had charge of a corps of Department operators, "Mr. Stanton slept in the building in order to be ready instantly to attend to important messages. The ordinary operators did not have a key to the code, nor did Mr. Stanton; therefore, General Anson Stager, General T. T. Eckert, or Colonel S. G. Lynch also slept in the building for a time so there should be no delay in translating information coming in late at night."

The method of arranging and preserving the telegraphic history of the war is thus described by the trusted clerk who did it—Major A. E. H. Johnson:

Every message in any way relating to the army and navy, sent or received, was copied and furnished to me on letter sheet paper direct from the telegraph office, which was in the room adjoining the Secretary's. Carbon copies on yellow tissue paper were furnished to the Secretary. These letter sheet telegrams I put in large file books which I kept in chests under lock, each chest containing about ten volumes. The carbon copies I kept in little wooden spring clothespins—used as clips—and which I lettered for each day of the week, including Sunday, for we had no rest.

Mr. Stanton's instructions were to let no person see the telegrams, and I once refused the President. He never gave me an opportunity afterwards to repeat the refusal, but made no sign of displeasure. The telegraph operators were under the same injunction, and although the President frequently went into the telegraph office to send telegrams, the operators would not show him the telegrams coming from the armies, until later during the war, when the rule was relaxed and a box for his use was provided.

The messages sent by the Secretary are mostly in his own handwriting, and for many a day they show a labor in writing probably greater than that of any clerk in his office.

Stanton's method of controlling the telegraph lines was peculiarly autocratic and independent. His men were never enlisted, mustered, or commissioned, nor permitted, although

*"The boys constructed and operated within the lines of the army 15,389 miles of telegraph and transmitted over 6,000,000 military messages. Amidst the fiercest roar of conflict they were found coolly advising the commanding general of the battle's progress. Their ages ranged from 16 to 22 years—boys in years but giants in loyalty and in the work they performed for their country," says William Bender Wilson.

thousands of miles distant following armies and reporting battles in the field, to become attached to any military command. By retaining this little army as a part of his own personal and confidential staff, instead of permitting its members to be subjected to the varying and conflicting orders of the numerous commanders, he insured the safety of his cipher code and the control of the armies, and rendered betrayal impossible. Not a confidential operator or cipher translator ever flunked, leaked, or violated his sacred trust.* They detected many insurgent movements, and the skill of D. Homer Bates, A. B. Chandler, and C. A. Tinker prevented the capture as planned of several ocean steamships sailing out of New York and also discovered the engravers of Confederate bonds in New York City and insured their apprehension, together with plates and money.

Stanton's rigorous orders, however, sometimes rendered the positions of his operators very trying. At one time General Grant was induced to test Stanton's control and appointed Colonel John Riggins, one of his aides, to be superintendent of telegraph lines in his Department. Riggins sent requisitions for supplies and issued orders to the operators. The operator at Grant's headquarters reported the facts to Stanton, whereupon Riggins's orders were countermanded and Grant was informed that General Stager was superintendent of the Military Telegraph and would order all sup-

*Richard O'Brien, now of Scranton, Pa., who was one of the four operators selected first for the military service, was stationed at Norfolk as chief operator in the spring of 1863, when the Confederate Congress prepared to carry Jefferson Davis' proclamation into effect by providing to execute, when captured, the officers of African soldiers. In Norfolk certain leading secessionists cast lots to determine who should assassinate the commander of the first detachment of colored troops to enter the city. Dr. Davis M. Wright, one of the foremost citizens, drew the red card. Second Lieutenant A. L. Sanborn of Massachusetts, in command of Company B, First Regular Colored Infantry, first brought Africans under arms into the city and Dr. Wright shot and killed him. Wright was captured and on July 29 convicted of murder and sentenced to be hanged. Powerful appeals were made to Lincoln for clemency. Wright's intercessors were in Washington. The reprieve was expected by telegraph. The hour for the execution was drawing near, but no reprieve came. At the last moment Wright's friends offered O'Brien \$20,000 in gold and a passage on a blockade runner to Europe if he would forge a telegram from Lincoln ordering a release. The offer was spurned, notwithstanding the condemned man had a beautiful daughter for whom O'Brien felt the tenderest sympathy. The execution took place as appointed.

plies and designate and discharge all operators. Grant subsided, but later made another test of authority, arresting the operator who reported his first attempt to interfere, and sent word that the obnoxious person must be removed forthwith. Again Colonel Riffin, under Grant's orders, attempted to assume control but, as before, his requisitions were countermanded and all the operators in Grant's Department resolved to resign for the purpose of showing their independence of his authority. To meet this dilemma he ordered that any operator resigning should be arrested and placed in close confinement, whereupon Stanton instructed General-in-Chief Halleck to advise Grant concerning the rules and regulations which certainly would govern the telegraph. Grant pondered over these instructions for a time, finally contenting himself with sending the operator who had first reported him away under arrest. Stanton telegraphed the young man's release, but, to avoid further friction, transferred him to another station.

In January, 1864, when he had become lieutenant-general, Grant again attempted to override Stanton's authority. He was about to go from Nashville to Knoxville and wanted Captain C. B. Comstock, who was to accompany him, to possess the cipher. The operator, Samuel H. Beckwith, refused to surrender it without special permission. Instead of telegraphing for that permission or for the special detail of an operator, which would have been granted instantly, Grant informed the young man that he must disobey his superior and deliver up the cipher or be punished, and Beckwith wrongfully yielded. Instantly Stanton ordered him to be dismissed from the service, saying he should have gone to prison rather than surrender the cipher. Grant was informed that the operator had been dismissed and that, as Comstock was not entitled to it, a new cipher had been ordered, which would never be communicated to any one without special permission. Grant saw plainly that Stanton was master of the situation and ordered Comstock to restore the cipher to the operator, who was also reinstated.*

At an earlier date Grant was among the few commanders who

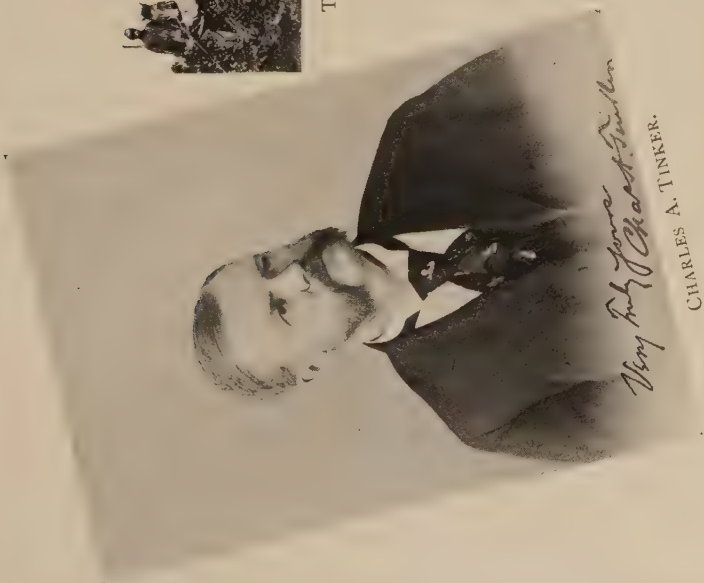
*J. Emmet O'Brien of Scranton, Pennsylvania, one of the last cipher operators to leave the service, relates: "One of General Grant's staff invented a cipher which he wished to supersede ours, and handed in a message to be sent to General Sheridan. Tinker saw that it was the simplest kind of a riddle. Deciphering it, he handed the translation to the inventor, which ended interference with our specialty."



D. HOMER BATES.



TELEGRAPH STATION ON
FIRING LINE.



*Very truly yours
Charles A. Tinker*

CHARLES A. TINKER.

did not care to obey in full Stanton's order of November 13, 1862, to forward, at the end of every month, "the original of every telegram filed by Government officers" for transmission. The matter was settled by instructions to audit no bills for telegrams not accompanied by the original vouchers. "This not only set General Grant to thinking clearly, but placed the history of the war in our vaults in its original form, an instance not duplicated elsewhere in the world and of the highest value to truth," says Quartermaster-General M. C. Meigs.

When the war ended, Stanton designated officers to take charge of all papers and writings in camp and field until the muster-out had been completed, and bring the finished rolls and documents, together with all available insurgent records, to the War Department. Without the latter order, thousands of the most important manuscripts and telegrams now possessed by the Government would have been lost. These orders illustrate the comprehensive mind with which Stanton looked into the future, and gave to the ages an authentic history of the nation's final struggle for life. As he had made no journal of his doings and retained few or no private copies of his letters, this official record of the war was a treasure as dear as the blood of his heart. It was the written proof which, in the fulness of time, was to confuse his enemies and vindicate his course. So, when President Johnson attempted to seize the War Department, Stanton determined that at least the record of how the Republic had been rescued should be preserved. What was done for its safety is best told by Major A. E. H. Johnson:

On this telegraphic record Mr. Stanton depended for vindication. It was all he had to leave for his defense, and all he had to show how he was sustained by President Lincoln. Not willing to trust this history to the keeping of his possible successor, General Lorenzo Thomas, who had been appointed secretary of war *ad interim* by President Johnson, but which appointment Mr. Stanton refused to recognize, he directed me to get wagons that day after office hours and have all the chests containing the telegrams put into the vault of the medical museum [the old Ford theatre, where President Lincoln was assassinated], retaining the key. There the chests were kept until after the impeachment trial of President Johnson, and General Schofield had been made secretary of war. Then, as General Sherman wanted to see them, on Mr. Stanton's order, I gave up the key and the chests were returned to the Department.

If Stanton was jealous of this telegraphic history, he was proud of his telegraphic corps. It was, he declared to W. J. Dealy, his

"right arm" watching and guarding his armies everywhere, night and day, and keeping constantly before his eyes a perfect but ever-changing panorama of the vast battle-field of the Union.

After the war closed he manifested keen interest in the welfare of his former detachment* and, whenever he met them, gave evidence of strong personal affection. His sentiments were reciprocated, and at the reunions of the United States Military Telegraph Corps, since his death, the members have indulged in loving remembrances of him; and at the Pittsburg reunion of 1896 preliminary steps were taken to raise funds for a monument to commemorate the worth and service of their "former Commander-in-Chief."

*

OFFICE U. S. MILITARY TELEGRAPH,

War Department,

Washington, July 31, 1866.

War Department,

D. H. BATES, Assistant Manager, Department of the Potomac;

CHARLES A. TINKER, Chief Operator, War Department;

ALBERT B. CHANDLER, Cipher and Disbursing Clerk, War Department;

A. H. CALDWELL, Chief Operator, Army of the Potomac;

DENNIS DOREN, Superintendent of Construction, Department of the Potomac;

FRANK STEWART, Cipher Clerk, War Department;

GEORGE W. BALDWIN, Cipher Clerk, War Department;

RICHARD O'BRIEN, Chief Operator, Department of North Carolina;

GEORGE D. SHELDON, Chief Operator, Fortress Monroe, Virginia;

M. V. B. BUELL, Chief Operator, Delaware and Eastern Shore Line;

JOHN H. EMERICK, Chief Operator, Army of the James;

GENTLEMEN:

I have been instructed by the Secretary of War to present to each of you one of the SILVER WATCHES, which were purchased and used to establish uniform time in the Army of the Potomac, marked "U. S. MILITARY TELEGRAPH," as an acknowledgment of the meritorious and valuable services you have rendered to the Government during the war, while under my direction, as an employee of the United States Military Telegraph.

It gives me great pleasure to comply with these instructions, and I will take this occasion to thank you, for myself, for your faithful performance of the important trusts which have been confided to you in the various capacities in which you have served, and especially as "Cipher Operators."

Yours very truly

Thos. T. Eckert,

Asst. Secretary of War, and Supt. U. S. Military Telegraph.

CHAPTER XL.

STILL THE AUTOCRAT—MILITARY RAILROADS.

The Rebellion was the first great war in which military railways played a conspicuous part, and their feats under Stanton were so remarkable that several European governments called for special reports upon them. They were operated in twelve States and comprised two thousand one hundred and five miles of lines west to Little Rock, south to Holly Springs, Decatur, and Atlanta, and east to Maryland, Virginia, Pennsylvania, and the seaboard of North Carolina. They gave employment at one time to twenty-four thousand nine hundred and sixty-four persons, who operated four hundred and nineteen locomotives, six thousand three hundred and thirty cars, and thousands of gondolas.* Their crews built twenty-six miles of bridges, laid six hundred and forty-two miles of new track, expended forty-three million dollars in cash, and saved the Union arms from many a disaster.

Stanton's fifteen years of professional experience with rail and water carriage made him a competent judge of the powers and possibilities of this great branch of human activity. On February 11, 1862, he appointed D. C. McCallum "military director and superintendent of railroads in the United States, with authority to enter upon, take possession of, hold, and use all railroads, engines, cars, locomotives, equipment, appendages, and appurtenances that may be required for the transport of troops, ammunition, and military supplies of the United States," accompanying the order with a letter saying: "I shall expect you to have on hand at all times the necessary men and materials to enable you to comply promptly with this order, and there must be no failure under any circumstances."

He decided, before finally determining a policy of land carriage, to call a meeting of railroad presidents and managers in

*All sold or returned to original owners by Stanton's order of August 8, 1865.

Washington on February 20. At this gathering he made a patriotic address, appealing to the railroads to do their full share toward sustaining the country and putting down the Rebellion. He asked them to prepare a uniform schedule of rates for Government business and to be ready to respond to the sudden calls which emergencies might render necessary. His speech was significant, intimating that no exorbitant bills for transporting army supplies would be allowed, and that any attempt to hinder Government carriage or exact robber charges would result in the seizure of the offending railway; "but," he added, "the better way is for the railways themselves to operate in the public interest, and I expect, of course, they will do so."

He also suggested a permanent organization of managers and the appointment of a standing committee with whom he could confer. The suggestion was adopted and Erastus Corning, Thomas L. Jewett, and Samuel M. Felton were appointed and a uniform rate of Government transportation, 10 per cent., under the schedule, was agreed to and maintained for three years. This arrangement materially improved conditions, but as none of the military commanders seemed equal to the task of repairing and managing the railroads which he was seizing, Stanton summoned Herman Haupt, a graduate of West Point and a railway builder and manager of the very highest ability, then constructing the Hoosac Tunnel. "What do you want, and how long will I be needed?" he inquired. Stanton replied:

McClellan is on the Peninsula operating against Richmond. McDowell has been ordered to join him by forced marches, but he cannot do so before the Fredericksburg railroad has been put in condition to transport munitions and supplies. As soon as he can cooperate with McClellan, Richmond will fall and the war will end. You can return to your work on the Hoosac Tunnel in three or four weeks and if the war is not ended in three months, I shall resign.

Haupt answered that he would undertake the task provided he could do so without rank or title; be required to wear no uniform; be allowed no salary or compensation beyond his expenses, and be relieved whenever the exigencies of the time had been provided for. The conditions were satisfactory, and in a few hours (on April 23, 1862) he was steaming down the Potomac to carry out instructions.

With crews consisting of fresh details every morning of one hundred men each from three adjoining regiments, he rebuilt the Fredericksburg railroad in twenty days and with like crews astonished the world by erecting a bridge four hundred feet in length and ninety feet in height over Potomac Creek and crossing it with a locomotive in nine days, taking every timber from its stump in the surrounding forests.

On May 28, Stanton, Lincoln, and other officials inspected this achievement, and on returning Lincoln said to the Committee on the Conduct of the War: "That man Haupt has built a bridge four hundred feet long and one hundred feet high, across Potomac Creek, on which loaded trains are passing every hour, and upon my word, gentlemen, there is nothing in it but cornstalks and beanpoles."

The Messaponax bridge, six miles from Fredericksburg, was burned Monday morning and at noon Haupt and his men had replaced it. The Confederates exclaimed in astonishment: "The Yankees can build bridges faster than we can burn them."

Stanton, on May 28, in recognition of his valuable services, gave to Haupt the rank of colonel and appointed him chief of construction and transportation in the Department of the Rappahannock, and on the following day issued orders making him independent of all authority save that of the Secretary of War. Being thus established as dictator, Haupt promptly raised a corps of his own which was commanded by commissioned and non-commissioned officers and drilled and governed the same as the military forces. His corps constructed, tore down, managed, and operated railways as if he owned them. This annoyed army officers, every one of whom seemed determined to manage and run the railways in his Department to suit himself, which practise invariably resulted in confusion and disaster. At the time he assumed charge, one officer was giving one order and another officer was giving another order on different parts of the same line, so that frequently not a wheel was turning or an empty car available, greatly to Stanton's disgust and the Government's loss.

During Pope's long and desperate fight in August, 1862, Stanton found great comfort in his railway autocrat, who acted as president, secretary of war, and military commander, forwarding supplies, issuing orders, carrying off the wounded, advising the War Department, telegraphing to Lincoln, and managing things

generally with ability and success never surpassed. He sent operators forward, who, armed with pocket instruments, passed through the lines of conflict and made observations and reports from tree-tops. "For several days the only information received at Washington," says Haupt, "came through my office." Whenever he brought a person of unusual intelligence out of the heart of the conflict he rushed him by special locomotive to Washington for the purpose of enabling Stanton (who remained in the War Office every night) to secure an inside view of the situation, the doorkeeper having orders to admit Haupt's messengers "at once at any hour."

When he returned to Washington the cabinet was in session. "Come in," shouted Stanton, embracing him; "you shall be a brigadier-general." Next day a commission as brigadier-general and director of all military railways in the United States was issued, clothing him with extraordinary powers. A special order declared that "no officer, whatsoever may be his rank," could interfere with Haupt or his men without being "dismissed from the service." Another order recited: "The railroads are entirely under your [Haupt's] control. * * * Your orders are supreme."

These "arbitrary methods" were unavoidable, as military commanders proved incapable of railway management and private companies were not always able or willing to furnish promptly the facilities of which the army was frequently in sudden need. When the army had outgrown its transportation equipment, Stanton peremptorily ordered all manufacturers to turn over whatever locomotives and cars they had on hand complete or in process of construction, and thus secured, without negotiation or delay, one hundred and forty new locomotives and two thousand five hundred cars.

Cornelius Vanderbilt, of the New York and Harlem Railroad, attempted unsuccessfully to prevent his new locomotives from being thus taken from the Baldwin works. Stanton informed the Baldwins to proceed as ordered and he would protect them from harm, and telegraphed to Mr. Vanderbilt on November 20, 1863:

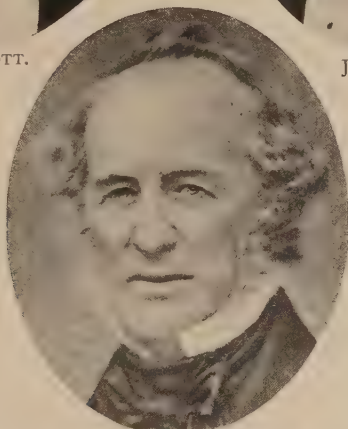
Your letter of the 19th received. The engines referred to were seized by the order of this Department from a paramount necessity for the supply of the armies of the Cumberland. They are absolutely essential to the safety of those armies and the order cannot be revoked. Whatever damages your company may sustain the Government is responsible for, but the military operations are superior to every other consideration. This is a case where the safety and support of an army depend upon the exercise of the authority of the Government and the prompt acquiescence of loyal citi-



THOMAS A. SCOTT.



JOHN W. GARRETT.



CORNELIUS VANDERBILT.



GEN. HERMAN HAUPT (ON THE RIGHT) AND HIS LOCOMOTIVE.

zens. I hope, therefore, that you will not only throw no obstacle in the way of forwarding the engines to Louisville, but use your well-known energy in aid of the Department to hurry them forward.

Before the close of the war, Haupt returned to the Hoosac Tunnel and was succeeded by his assistant, Colonel D. C. McCallum, who, with the original corps and the same autocratic authority from Stanton, maintained the wonderful nerve and efficiency which had been created by his predecessor. The manner in which he transported, under Stanton's orders, twenty-three thousand troops from the Army of the Potomac in Virginia over the mountains to Chattanooga, stands without counterpart in military movements. He was successful because Stanton had the wisdom to centralize supreme authority in him. In carrying out instructions in this case McCallum arrested General Carl Schurz and forcibly sent several high officers to the rear to remain until their commands were ready to leave, Stanton, without question or inquiry, upholding every act by telegraph.

The Bureau of Military Railroads covered the entire field of military activity, and its achievements were frequently as astounding as they were decisive and valuable.* The basis of its organization and the method of its administration are monuments to Stanton's executive resources. Like the Military Telegraph, it was absolutely independent of all control outside of his own will, including even that of the President. Hardly a commander failed to attempt some usurpation of authority over it or put on record some childish complaint of "dictation" and "interference from Washington"—as if subalterns in the field could be greater than the executive heads of the nation!

Had not the very autocracy of which they complained been assumed and held by a single master-hand at Washington, thus unifying the purposes and synchronizing the movements of that

*Besides the feats mentioned, the Rappahannock bridge in Virginia, 625 feet in length and 35 feet in height, was rebuilt in 19 working hours and the Chattahoochie bridge, 740 feet in length and 95 feet in altitude, in 4½ days! Before a meeting of the British military and other engineers in London, General Haupt explained by request how these achievements were accomplished. The Englishmen were so much impressed by the address that a grand banquet in his honor was tendered by the royal engineers.

vital branch of the military service, tossing armies like shuttle-cocks here and there to checkmate the enemy, the chaos which Stanton found on entering the cabinet would have continued and the defeat instead of the victory of more than one army would have been recorded.

CHAPTER XLI.

PRISONERS OF WAR—A HEART-BREAKING DUTY.

On entering office Stanton found no provision for exchanging captives or the relief of those whose deplorable condition in confinement was appealing to the conscience of the nation. Therefore, on January 20, 1862, he appointed Hamilton Fish and Bishop E. R. Ames, by telegraph, placing fifty thousand dollars to their credit, to "provide for the wants and comfort of prisoners wherever held," and issued an order declaring that "the pay of all soldiers taken prisoners shall continue as long as they shall be held in captivity, with their usual rations."

While Ames and Fish were en route to Richmond, Judah P. Benjamin, Confederate secretary of war, sent word that the commission need proceed no farther, as he desired to effect a general exchange of prisoners. The commissioners answered that they possessed no power to discuss exchanges and asked to be permitted to proceed on their humane mission, which was refused. Thus the difficult question of a general exchange came sharply to the front.

Stanton could take no steps that might place the rebellious States on such an equality with the Government, even as belligerents, as would afford the pretext which England and France were seeking to recognize the Confederacy as an independent State.

The South, for that very reason, was extremely anxious to secure a written cartel of exchange that named in exact terms the Confederate States as a party. But the people, unable to measure the importance of this vital point, clamored loudly for such exchanges as are usual when two hostile nations are at war, and, as the Confederates held more prisoners than the United States, Stanton instructed General John E. Wool, on February 11:

Arrange for the restoration of all prisoners to their homes, on fair terms of exchange, man for man and officer for officer of equal grade, assimilating the grades of the officers of the army and navy when necessary, and agreeing upon equal terms for the number of men or officers of inferior grades to be exchanged for any of higher grade when occasion

shall arise. That all surplus prisoners on either side be discharged on parole, with the agreement that any prisoners of war taken by the other party shall be returned in exchange as fast as captured, and this system be continued while hostilities continue, so that on all occasions either party holding prisoners shall so hold them on parole till exchanged, the prisoners being allowed to remain in their own region until the exchange is effected.

You will further inform whomever it may concern, that all of the prisoners taken on board of vessels or otherwise in maritime conflict by the power of the United States, have been put and are now held in military custody and on the same footing as other prisoners taken in arms.

The final paragraph was regarded as an important concession to the Confederates, the North having in captivity as "pirates" for exemplary punishment Confederate privateersmen who had forfeited the rights of war.* General Wool soon came to terms with the Confederate General Benjamin Huger, but the latter insisted, since the Confederacy was not specifically named in the cartel, that each party "deliver his captives free of expense on the *frontier*." Wool referred this demand to Stanton, who instantly said, "No, it is obnoxious in terms and inadmissible in import." To fix a "frontier" was to admit the existence of a power and a State beyond that frontier. In response to a resolution of Congress on March 24, 1862, he stated:

A late proposition for a new arrangement was promptly rejected because its terms involved a distinct recognition of the rebels as an independent belligerent power. Anxious as the Department is to release prisoners held in captivity by the rebels and restore them to their families and country, all will recognize the paramount duty of guarding against any recognition of the enemy otherwise than as rebels in arms against the Government.

In the meantime Grant had taken nearly fifteen thousand prisoners at Fort Donelson and Congress had granted money to Stanton for feeding, clothing, and nursing Federal captives. G. W. Randolph, the new Confederate secretary of war, proposed that each side appoint a commissary-general to distribute aid among and look after his own people in captivity, which proposition Stan-

*On April 17, 1861, two days after Lincoln's call for troops, Jefferson Davis issued a proclamation inviting adventurers on the sea to apply for letters of marque and reprisal, and thus sent out "pirates" to prey on Northern ships. One of these, the *Savannah*, was captured and the crew convicted of piracy and sentenced to death on the ground that Davis was not "president" of any known or recognized government and, therefore, not capable of issuing valid commissions of any kind.

ton rejected as recognizing the Confederacy as a government with authority to send officers and agents to another country. Besides, he said, Confederate captives were provided with good quarters, clothing, and enough to eat and required no special commissary.

On July 12, 1862, he authorized General John A. Dix to "negotiate a general exchange of prisoners with the enemy, observing proper caution against the recognition of the rebel government." The meeting between Dix and General D. H. Hill was satisfactory, Stanton again telegraphing on July 16, that "no distinction will be made as to privateersmen," and a cartel (General Orders 142) was signed at Haxall's Landing, Virginia, on July 22, 1862, under which exchanges proceeded satisfactorily for some months, the designated points of delivery being Vicksburg, Mississippi, and City Point, near Richmond, Virginia, unless otherwise agreed by commanding generals after a given battle.

However, on December 24, 1862, Jefferson Davis issued a proclamation declaring "Benjamin F. Butler to be a felon, an outlaw, and common enemy of mankind and in event of his capture that he be instantly executed by hanging," and ordering "that no commissioned officer of the United States, taken captive, shall be released on parole for exchange until the said Butler shall have met with full punishment for his crimes." He also placed the commissioned officers in Butler's command in the same category, and ordered all Africans taken in arms to be turned over to the several States to be dealt with according to the laws thereof against insurrection. Consequently, on December 30, 1862, Stanton "suspended the parole of all officers, prisoners of war," and, as the proclamation of emancipation had taken effect, Davis declared on January 12, 1863, that every commissioned officer of the United States taken captive should be turned over to the several States to be dealt with for "inciting servile insurrection"—that is, to be hanged!

Under these extreme conditions exchanges necessarily ceased. In the meantime the excess of captives held by the United States had increased; the food supply in the South had become low and Confederate credit impaired. Therefore Robert Ould, Confederate agent of exchange, broached the subject anew, and Stanton in reply (April 18, 1863) demanded that he recant Davis' recent proclamation. This he would not do, he declared, if the captives on either side "had to rot, starve, and die."

On May 1, 1863, the Confederate Congress enacted that commissioned officers of the United States be dealt with by court-martial; that all commissioned Union officers in command of African troops be held guilty of inciting servile insurrection and, when captured, put to death, and that Africans captured in arms be turned over to the State authorities to be punished for insurrection—sold into slavery or put to death.

Therefore, on May 25, 1863, Stanton issued orders to exchange or parole no more Confederate officers and to "closely confine" and "strongly guard" all who had been paroled or who might thereafter be captured, and instructed Colonel Ludlow to inform Ould that the Federal Government would retaliate for the proposed hanging of Union captives who had commanded colored soldiers. He pointed out also that the Confederates themselves established the precedent of enlisting and arming Africans—first in Louisiana; then under General Albert Pike in Arkansas, and later by the conscription acts of their State legislatures, and finally, that they receipted for and counted in exchange the Confederate Africans captured by McClellan at the battle of Antietam, September 17, 1862. In the meantime, Confederate officers like General W. H. F. Lee were held as hostages for the safety of any Union officers of colored troops that might be captured.

After the battles of Vicksburg and Gettysburg, in July, 1863, the number of captives (privates) held by the United States was greatly in excess of those held by the Confederates. General Grant paroled his entire Vicksburg capture (except officers) of thirty thousand men and General Banks paroled over seven thousand at Port Hudson; but, as immediately afterwards the paroles were discovered fighting under Braxton Bragg, near Chattanooga, Stanton ordered all paroled captives "reduced to actual possession" as soon as possible. About this time Governor Tod of Ohio informed him that Confederate captives desired to be paroled rather than exchanged, in order to avoid further military duty, and he responded:

If they are paroled, great complaint is made by the friends of our prisoners in the South. No trust can be placed in their paroles. It is cheaper to guard them where they are, for the rebel government will release them by pretended law from their parole and force all who do not go voluntarily, back into the ranks, so that we shall simply have to fight and take them again.



ANDERSONVILLE PRISON—"DEAD-LINE" ON THE RIGHT.

The entire business of exchanging being now at a standstill, Ould resumed his efforts to have "citizens" included in the exchange, and, in order to have equivalents, sent raiders into the border States to "capture" them—women, children, babes, sick, and aged—reporting to the Confederate Secretary of War, on September 21, 1863: "We must have a Northern pressure to assist us. That can only be obtained by holding on to every Northern Union man." By "Northern pressure" he meant clamor in the North to force Stanton to accede to terms of exchange which involved recognition of the Confederacy.

In October, 1863, General Meredith recommended reducing Confederate captives to "conditions similar to those of Union captives in rebel prisons," and on November 9, finding himself unable to deal with Confederate officials or reach Union captives with relief, Stanton approved the recommendation. However, General E. A. Hitchcock, in charge of exchanges, protested, declaring that "human nature would not stand such treatment without revolt and that the Federal guards in charge of Confederate captives were insufficient in number to suppress such a revolt." The suggestion was not carried out.

As Union captives were perishing like flies, Stanton ordered, on November 12, twenty-four thousand rations to Libby prison with instructions to Captain Forbes to issue them if permitted to do so. Ould returned the letter saying he himself would issue the rations, concluding: "If you are not satisfied, you can take back your rations and withhold any in the future."

On the 12th of December the Confederates notified Stanton that they would receive no more supplies for Federal captives,* although, according to their own inspectors, such captives, for want of food, shelter, and clothing, were dying at an appalling rate.

The rage of the North turned with redoubled fury upon Stanton for not proceeding with exchanges regardless of technicalities.

*When his agents for the distribution of clothing and supplies were excluded from the Confederate prisons, and Northern contributions were consumed by the hungry Confederates before reaching the captives at Andersonville, Belle Isle, and Salisbury, Stanton instructed Colonel W. P. Wood to find a way to enter the Southern stockades and distribute among the prisoners there several millions of Confederate money which had been confiscated by him in the Old Capitol Prison. Dressed as a Confederate officer, Wood succeeded in obeying orders and the captives used the funds thus secured to considerable advantage.

He began despatching, therefore, in detachments of five hundred, Confederate sick and wounded to be specially exchanged for a like number of like character. Ould made the exchange, but, on December 28, wrote that he would make no more deliveries unless a complete general exchange should be agreed upon and carried out, and General Lee declined making exchanges for his own army for the same reason—a general agreement or nothing.

General Butler appealed to Stanton for authority to retaliate upon the Confederates in kind, declaring that, if permitted, he would “insure the safety of every prisoner that may fall into rebel hands,” and that “for every wrong done to a Union soldier” there would be a “day of mourning” in the South! Stanton did not grant the authority, but on April 17, 1864, ordered negotiations in relation to exchanges to be suspended, informing the Confederates that “unless every man—white, black, or red—who wore the uniform of a soldier of the United States when captured, should be accorded all rights due to prisoners of war, no more rebels would be exchanged or paroled.”

The Confederates themselves were starving and their armies decimating, yet their notions concerning the African in arms were such that they would not recognize him as a soldier for exchange or parole, thus, Stanton suggested, “putting a higher value on him than on a man of their own race.”

Even when the North held about fifty thousand and the South thirteen thousand captives, the insurgents would not “jump” accounts if the exchange—thirteen thousand for fifty thousand—must include Africans. General Hitchcock reported to Stanton that the insurgent agent, Ould, was literally unable to exchange Africans “because not a single colored soldier or officer of colored troops was ever permitted to reach his hands,” the former being “sold into slavery, put to work, or shot and hung” before reaching a spot where they could be exchanged.

Finally, in their distress, the insurgents offered to surrender Federal sick and wounded without equivalents. The offer was accepted on April 20, 1864, and the hospitals, as Ould says, were “searched for the worst cases.” They were taken to Annapolis and photographed and inspected by a committee of Congress as requested by Stanton, who, in his order of May 4, declared:

The enormity of the crime committed by the rebels toward our prisoners for the last several months is not known or realized by our people,

and cannot but fill with horror the civilized world when the facts are fully revealed. There appears to have been a deliberate system of savage and barbarous treatment and starvation, the result of which will be that few if any of the prisoners that have been in their hands will ever again be in a condition to render any service, or even to enjoy life.

At this moment the massacre at Fort Pillow, in which the insurgent victors slaughtered captives as they surrendered, had so greatly enraged the North that Lincoln sought Stanton's opinion as to what course would probably check such awful barbarities. On May 5, 1864, Stanton responded with this extremely severe plan:

First—That of the rebel officers now held as prisoners by the United States there should be selected by lot a number equal to the number of persons ascertained to have been massacred at Fort Pillow, who shall immediately be placed in close confinement as hostages to await such further action as may be determined.

Second—That Generals Forrest and Chalmers and all officers and men known, or who may hereafter be ascertained, to have been concerned in the massacre at Fort Pillow be excluded, by the President's special order, from the benefit of his amnesty, and also that they, by his order, be exempted from all privilege of exchange or other rights as prisoners of war, and shall, if they fall into our hands, be subjected to trial and such punishment as may be awarded for their barbarous and inhuman violation of the laws of war toward the officers and soldiers of the United States at Fort Pillow.

Third—That the rebel authorities at Richmond be notified that the prisoners so selected are held as hostages for the delivery up of Generals Forrest and Chalmers and those concerned in the massacre at Fort Pillow, or to answer in their stead, and in case of their non-delivery within a reasonable time, to be specified in the notice, such measures will be taken in reference to the hostages, by way of retributory justice for the massacre of Fort Pillow, as are justified by the laws of civilized warfare.

Fourth—That after the lapse of a reasonable time for the delivery up of Chalmers, Forrest, and those concerned in the massacre, the President proceed to take against the hostages above selected such measures as may, under the state of things then existing, be essential for the protection of Union soldiers from such savage barbarities as were practised at Fort Pillow and to compel the rebels to observe the laws of civilized warfare.

Fifth—That the practise of releasing, without exchange of equivalent, rebel prisoners taken in battle be discontinued, and no such immunity be extended to rebels while our prisoners are undergoing ferocious barbarity or the more horrible death of starvation.

Sixth—That precisely the same rations and treatment be henceforth practised in reference to the whole number of rebel officers remaining in our hands as are practised against either soldiers or officers in our service held by the rebels.

My reasons for selecting the officers instead of the privates for retaliatory punishment are: *First*, because the rebels have selected white officers of colored regiments and excluded them from the benefit of the laws of war for no other reason than that they command special troops, and that, having thus discriminated against the officers of the United States service, their officers should be held responsible for the discrimination; and, *Second*, because it is known that a large portion of the privates in the rebel army are forced there by conscription, and are held in arms by terror and rigorous punishment from their own officers. The whole weight of retaliatory measures, therefore, should, in my opinion, be made to fall upon the officers of the rebel army, more especially as they alone are the class whose feelings are at all regarded in the rebel States or who can have any interest or influence in bringing about more humane conduct on the part of the rebel authorities.

A serious objection against the release of prisoners of war who apply to be enlarged is that they belong to influential families, who, through representatives in Congress and other influential persons, are enabled to make interest with the Government. They are the class who, instead of receiving indulgences, ought, in my opinion, to be made to bear the heaviest burden of the war brought upon them by their own crimes.

On receiving the foregoing opinion Lincoln promised the Committee on the Conduct of the War that if the testimony about to be taken should prove the charges made against the Confederate prison officials and the commander at Fort Pillow, he would "enforce the most energetic measures of retaliation."

While evidence against the offenders was being gathered, the fortunes of war became so palpably favorable to the Union that Stanton modified his views and advised punishment through regularly constituted tribunals at the close of the conflict. That policy was adopted.*

During this time semi-official British journals had been seeking to counteract the influence of the belief in Europe that Union captives were being starved in insurgent prisons, and succeeded in having bazaars opened in England to raise money—not for the Union captives whose needs were so distressing, but for Confederate prisoners who were housed and fed abundantly! When seventy-five thousand dollars had been accumulated, the British asked permission to send agents for its distribution. "Almighty God! No!"

*Captain Henry Wirz was executed at Washington on November 10, 1865, for cruelties perpetrated by him on captives at Andersonville. Causes of death of Union captives were assigned by the insurgents as follows: "Wounds, 776; disease, 12,836; other known causes, 863; not listed [shot], 100; unknown causes [starvation and exposure], 11,773; total, 26,408."

shouted Stanton, and Secretary Seward informed the American minister in London that the Confederate captives were not in need of aid; that English agents would not be permitted in our prisons and that there could be no correspondence on the subject with the British authorities.

In August, General Grant suggested to Stanton that "under no circumstances should he permit General Foster to exchange captives, as exchanges simply reinforce the enemy at once while we do not get benefit from those received for two or three months and lose the majority entirely."

In September J. A. Seddon, Confederate secretary of war, favored effecting exchanges regardless of technical terms, saying: "We get rid of feeding and guarding that many prisoners and we give that many votes against Lincoln's [and for McClellan's] election." Ould objected to the proposal because it "would tend to weaken the pressure now bearing upon Lincoln which I doubt not will very soon force him into a general exchange."

On October 7, 1864, Ould wrote to Stanton suggesting arrangements by which each might furnish supplies to the captives held by the other side. Stanton agreed, granting permission to the Confederates to buy anything wanted (except Federal uniforms) from the United States quartermasters, at Government prices, and to pay in cotton, the cotton to be carried free in Federal transports from Mobile or New Orleans to New York. Knowing that the Confederates held only a few captives compared with the number held by the North,* Stanton proposed also to exchange prisoners as far as the South could make deliveries and support the surplus in confinement at Federal expense.

The proposition was not accepted, but when Ould asked whether such supplies as the South might be able to purchase with

*The total number of captives taken by each side during hostilities is shown in the following:

	Federals.	Confederate.
Died in prison,	26,249	26,774
Released on oath,		71,889
Exchanged and paroled,	154,059	350,367
Illegally paroled,	1,097	
Escaped,	2,696	2,098
Joined Confederate Army,	3,170	
Joined Union Army,		5,452
Unaccounted for,		3,084
Recaptured,	17	
Total,	187,288	459,664

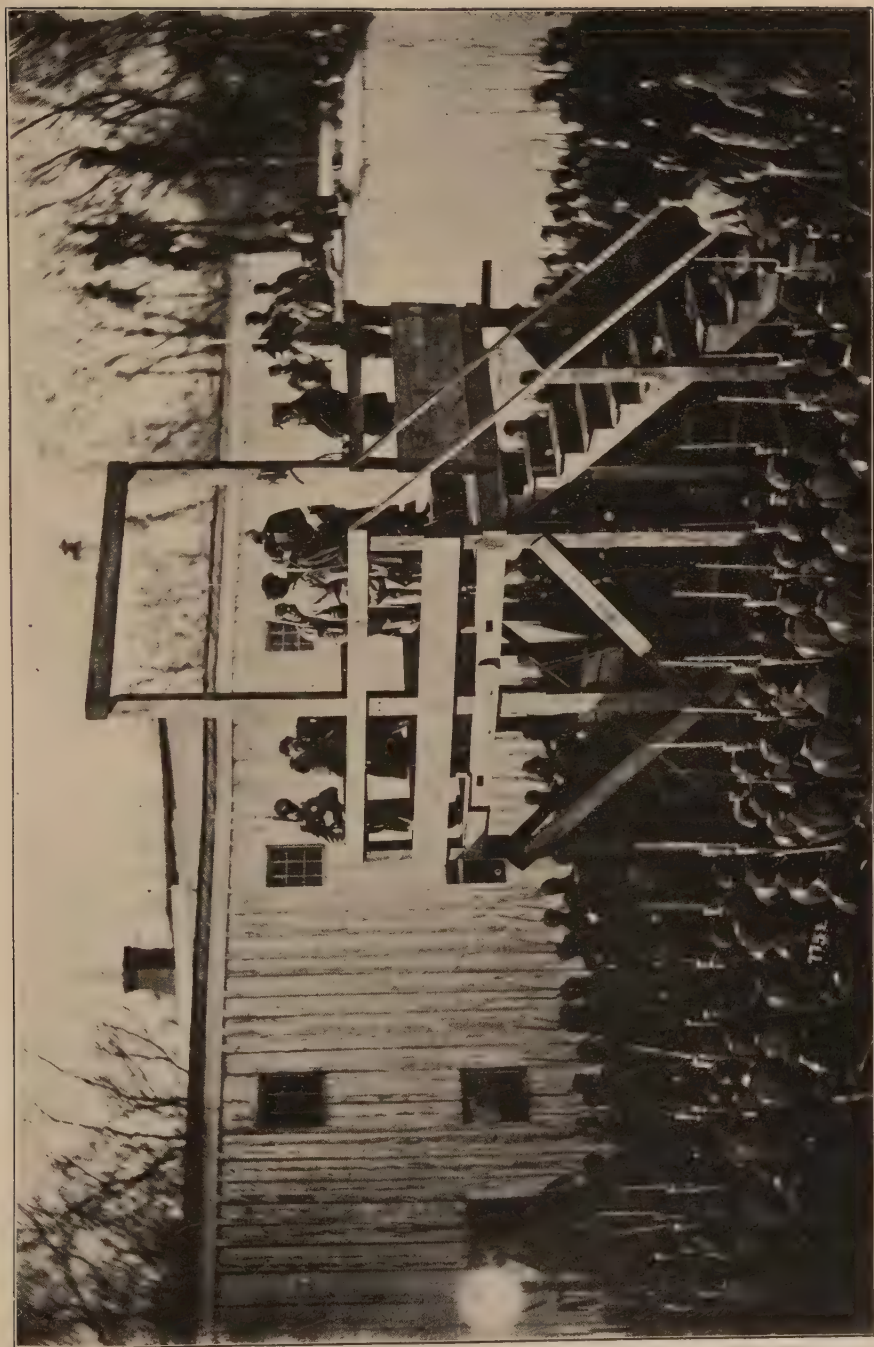
cotton could also, like the cotton, be delivered "free of expense," Stanton generously replied affirmatively. Food, clothing, and medicine from the North were then poured into Richmond, Charleston, Andersonville, and other Confederate prisons, but the death-rate among the Federal captives continued to be frightfully large for the reason, agents reported, that the contributions were intercepted and consumed by the insurgents, who were almost equally hungry.

The temper of the North was roused to vengeful heat by these reports, and in January, 1865, Congress was driven to give attention to the matter. A resolution calling on Stanton for information was passed, but not until it had been made the occasion of fully explaining and vindicating his entire course.

On February 11, 1865, at the close of the debate in Congress, General Grant testified before the Committee on the Conduct of the War that "he did not think it just to the men who had to fight our battles to reinforce the enemy with thirty or forty thousand strong and disciplined troops at that time," and explained that the Confederate captives were forced back into service as soon as released while not half of the Federal prisoners could ever re-enter the army and none of them under one or two months. He also declared that, except for the sufferings of the Union prisoners in the Confederate prisons, there would have been no exchanges at all, thus fully vindicating Stanton's course.

In January, 1868, while Stanton's suspension by President Johnson was under consideration in executive session of the Senate, the entire matter of exchanges was violently attacked by the Democrats. On the request of Senator Fessenden of Maine, Stanton furnished a written explanation of his course, especially describing his unceasing efforts to "provide for, relieve, and liberate our prisoners," but it was never given to the public. The suspension of exchanges, he said, was forced upon him by the flagrant abrogation of the cartel; subjecting Union officers to the penalty of death for commanding colored troops; refusing to release citizens (non-combatants) captured in the loyal States; releasing from parole and returning to battle (40,000) soldiers captured by Grant at Vicksburg and Port Hudson; condemning colored prisoners to death and "deliberately starving Union captives in rebel mews."

Technically the South was always willing to exchange, but never upon terms that Stanton could accept, save from a humanitarian standpoint—and there is little that is humanitarian in war.



EXECUTION OF CAPT. HENRY WIRZ — READING DEATH WARRANT — WIRZ WITH UNCOVERED HEAD.

He was well informed concerning the unspeakable horrors of the insurgent prisons; he knew that the nation's heart was wrung with anguish and that he was cursed by thousands of his countrymen; yet he knew also that in times of war all war matters must be managed upon a war basis, and that to accept the terms dictated by the Confederates meant a prolongation of the Rebellion, foreign intervention, and possibly a divided Union.

Though his soul was on fire and the people's heart was breaking, he resolutely planned and executed solely with reference to the future glories of a perpetually reunited Republic, with all the splendors of its race development, industrial advancement, general enlightenment, and social and political freedom in view; and history says now that he was right.

CHAPTER XLII.

RAISING TROOPS—FEARFUL DRAFT-RIOTS.

To Stanton's marked success in developing the full fighting strength of the North is largely due the preservation of the Union. It made him fame but not friends, for he laid an iron hand upon every community, if not upon every household.

On April 3, 1862, seeing that to depend upon volunteers to recruit the armies transferred the preponderance of voting strength to the stay-at-home communities, which, being hostile to the war policy of the nation, did not promote enlistments or vote supplies, he ordered all recruiting suspended and the officers sent to the front. On August 4, 1862, he issued the President's call for three hundred thousand militia apportioned equitably among the States, following a proclamation for three hundred thousand volunteers to fill up old regiments, deficiencies in volunteers from any State to be filled by draft. A great hegira to Canada and Europe followed, which Stanton checked by the famous "stay-at-home" order of August 8, 1862, declaring that "no citizen liable to be drafted into the militia shall be allowed to go to a foreign country," and instructing the military to arrest whoever might undertake it—which raised a yell of "copperhead" rage from ocean to ocean.

Under this call the individual States inaugurated drafts, but they were ineffective. Less than eighty-five thousand out of three hundred thousand were drawn and hardly a full regiment reached the front. The States were unable to deliver the drafted men, and many of their executives and supreme courts entertained peculiar notions of State rights. In Wisconsin the draft was attended by rioting. When arrested by Federal marshals, the rioters sued out State writs of habeas corpus, which General Elliott refused to obey. The matter was taken to the State supreme court, which promptly decided the draft invalid and the suspension of the writ of habeas corpus and declaration of martial law illegal, and issued an attachment for General Elliott.

Stanton, greatly disturbed lest other States should imitate this example, sent Senator T. O. Howe to Madison to ask the Wisconsin court to reopen the case. A rehearing was granted in which Howe's argument was such as to secure a modified decision on March 25, 1863, which upheld the draft and denied the writs of habeas corpus. Thereupon Stanton telegraphed to Senator Howe:

I thank you with exceeding great joy for your telegram of the 25th, just received. It will do much to correct the evil occasioned by the action of your supreme court last fall. Accounts from all parts of the country show that the national spirit is growing stronger and stronger.

A Federal draft, based on a Federal enrollment under the act of March 3, 1863, took the place of further State drafts, but collisions, legal interruptions, and riots attended its drawings more numerous than before. Calls came to Stanton simultaneously from two hundred cities, counties, and towns in Pennsylvania, New York, Ohio, Indiana, Wisconsin, and Massachusetts for troops to quell uprisings, to which he responded with marshals or soldiers.

In New York City the disturbance assumed serious proportions. Governor Seymour first alleged that the draft was "unexpected," then that the enrollment was fraudulent, and finally that the drawing must be deferred until the "constitutionality" of the law creating it could be "tested."

"Ah," retorted Stanton, "it is the constitution and not the country that Mr. Seymour is anxious about."

On July 11, 1863, when the drawing began, the provost marshal's quarters in New York were sacked and the wheels,* rolls, and draft paraphernalia burned. The office of the *Tribune* was partly demolished, and Horace Greeley, its editor, pursued to the home of a friend; the house of Henry J. Raymond of the *Times* was sacked; the residence of Postmaster Wakeman and the police station at Eighty-sixth Street were mobbed and burned; the African

*Enrollment for a draft consists in making a book list of all males between the ages of 18 and 45, with each name also written on a card, all cards being stored away in packages by towns, wards, or districts. In making the draft the cards for a given district are placed in a wheel—occasionally in a box—and as the wheel turns a blind-folded person draws them out one after another until the required quota from that district has been filled. The drawn cards are canceled and filed away and those remaining are stored for use at the succeeding draft.

orphan asylum was bombarded and the firemen were kept at bay while it was being consumed by flames; negroes were chased out of town, stoned, beaten, and hanged; many business houses were looted and fired; Stanton was hanged in effigy on Forty-sixth Street, where Colonel O'Brien was dragged from his horse and stoned to death and his frightfully mangled corpse strung to a lamp post!

On July 13, the third day of the riot, the draft was temporarily suspended and the mob, which had been led by Seymour's political adherents, after cheering for half an hour in front of General McClellan's residence, dispersed. The principal orator, "Colonel" Andrews, was arrested, tried, and sent to prison. Stanton, in the meantime, had ordered troops forwarded to New York, telegraphing to Governor Seymour:

Eleven New York regiments are relieved and are at Frederick, Maryland, and will be forwarded to New York as fast as transportation can be furnished to them. Please signify to me anything you may desire to have done by the Department. Whatever means are at its disposal shall be at your command for the purpose of restoring order in New York.

Seymour, who two months before had refused Stanton's request for a personal conference concerning the draft, did not "signify" anything that he wanted done to "restore order in New York"; and General John A. Dix, the chief in local command—with General E. R. S. Canby under him and General B. F. Butler in reserve—was ordered to prepare to assert national supremacy.

James T. Brady, the eminent New York lawyer, wrote to Stanton that he feared a renewal of the riot on a more extensive scale and suggested that the Government propose to join Seymour in submitting the conscription law to the New York court of appeals. Stanton replied that he had always been willing to submit the act to judicial scrutiny, but the Federal courts alone had competent jurisdiction over questions arising under acts of Congress, concluding:

In regard to addressing Mr. Seymour on the question: If the National executive must negotiate with State executives in relation to the execution of an act of Congress, then the problem which the Rebellion aims to solve is already determined. The Rebellion started upon the theory that there is no National Government but only an agency determinable at the will of the respective States. The governor of New York stands to-day on the platform of Slidell, Davis, and Benjamin; and if he is to be the judge of whether the conscription act is constitutional and may

be enforced or resisted as he and other State authorities may decide, then the Rebellion is consummated and the National Government abolished.

Having by temperate and careful correspondence drawn Seymour into a written record, General Dix, on August 12, reported:

We are of opinion that the draft can safely commence in this city on Monday, with a sufficient force, but there ought to be 10,000 in the city and harbor. General Canby has now 5,000. Governor Seymour's letters have increased the dissatisfaction and multiplied the chances of collision, and there is but little doubt that he will do all in his power to defeat the draft, short of forcible resistance to it. I am constrained to believe that the whole moral influence of the executive power of the State will be thrown against the execution of the law * * * and a case may arise in which the *military power of the State will be employed to defeat it.*

"Very well," said Stanton, finishing the letter, "if I must I will whip Seymour, too," and immediately forwarded the five thousand additional troops asked for. The draft was concluded without further bloodshed, drawing thousands of "copperheads" into the service.

At Danville, Illinois, many persons were killed by the anti-war party, and at Lawrence, Kansas, which was completely sacked, nearly two hundred persons were slaughtered, two million dollars in property was burned, and all the records, papers, and enrollment lists of the provost marshal's office were destroyed.

In Pennsylvania the first conscription was "tested" before the State supreme court and declared unconstitutional, a strong anti-war opinion being given by Judge G. W. Woodward in the case of *Kneedler vs. Lane*. The Federal court reversed this decision, although both judges of the district to which it was appealed were Democrats. Judge Woodward was then nominated for governor against Andrew G. Curtin. George B. McClellan, from his retreat in New Jersey, still holding a commission as a general in the army though not trusted with a command, began to write letters in support of Judge Woodward, saying his "election was called for by the interests of the nation." Thereupon Stanton threw the entire weight of his influence in favor of Curtin, who was triumphantly elected.

There was turbulence in other States but it was of minor importance. In the meantime recruiting was being carried on by the governors in order to reduce the ratio of conscription. Most of them wanted to manage both processes (recruiting and drafting)

according to their own notions.* Some of them demanded that drafts be made by counties; some that they be based upon a count of actual population instead of the number of men of military age; some wanted to recruit or draft for certain generals only, as Sigel, Larrabee, Smith, etc.; some requested that the volunteers be assembled in solid new regiments and conscripts be sent to fill old regiments; some insisted on having the money for bounties sent in bulk to be disbursed by themselves; some wanted arms consigned to them in bulk to be distributed by "State agents"; some recruited three-months, one-hundred-days, and nine-months men and demanded that they be applied on the quotas drafted for three years; some wanted all Springfield and others all Enfield rifles; some requested that recruiting and drafting be postponed till after State and legislative elections had been held or the crops had been gathered; one declared he would raise no more men unless they could be commanded by officers from the same State only; some desired to withdraw regiments from the field while they were being recruited; some persisted that volunteers were State troops and could not be required to act in the United States service "without the formal consent of each individual," and some wanted, after men had been drafted, to permit them to enlist in order to secure ("steal," Stanton said) the bounties and advance pay given to genuine volunteers—all of which is but a partial list of impossible, illegal, and very troublesome demands.

Railway managers pleaded with Stanton to exempt their employes; steamboat companies to exempt their pilots and engineers; telegraph associations to exempt their operators; engravers to exempt their artists, and so on, while the Adams Express Company and a few other great corporations urged their employes to enlist. Stanton exempted locomotive engineers actually at work and employes of the Military Telegraph, and attempted to respect the exemptions made by States. However, when villages of one thousand inhabitants forwarded lists of from one hundred to two hundred men alleged to be "members" of the home "fire companies," he rebelled and ordered that only persons belonging to active fire companies previous to the call, be exempted.

*In a telegram on August 4, 1864, to Governor Brough of Ohio, refusing some request, Stanton said: "Every governor claims some specific arrangement for himself. Only yourself and one or two others seem willing to conform to anything but their own notions."



WILLIAM DENNISON.

DAVID TOD.
THREE OHIO WAR GOVERNORS.

JOHN BROUGH.

He was compelled to resist the combined ingenuity of the hostile and luke-warm sections of the entire nation. That he was able to do so and yet keep the loyal governors constantly pushing the business of furnishing soldiers, as he did, is remarkable. He invited some governors to consult with him in Washington; sent strong men to visit others at their capitals, and others he was compelled to override. Thus, on September 5, 1862, to Governor Edward Salomon of Wisconsin:

You are entirely mistaken in supposing that you are the exclusive judge as to whether arms and ammunition of the general Government are to be sent to your State. The President must be the judge. You have not until now stated any fact for the judgment of the President, but contented yourself with giving imperious orders. The Department has borne, and will continue to bear them patiently, and will act upon facts you may communicate. Orders have been given to send ammunition. The arms, it appears, you have seized.

After each call for volunteers, or offer of troops, or order for a draft, Stanton began shouting to the officers and people of the loyal States to push, to hurry, to rush; and continued cannonading the entire line until the quotas were filled. Instead of receiving encouragement from the country, he furnished hope, spirit, and vigor for the whole campaign, vast as it was, sending a resumé of the war news to all the loyal governors every night and securing letters and telegrams from commanders at the front urging vigor and haste in recruiting,* which he in turn sent to the country. There was no end of telegrams like the following, generally written with his own hand:

To Governor Morgan, Albany, August 19, 1862, 9 P. M.: Your telegram received. The bounty will be paid the 113th Regiment on their arrival and all supplies will be furnished as speedily as possible. The emergency for troops here is far more pressing than you know or than I dare tell. Put all your steam on and hurry them up.

To Governor Salomon, Madison, Wisconsin, August 22, 1862: Your 20th Regiment is wanted in the field immediately. Not an hour can be spared and no leave of absence can be granted. Please report the moment it is mustered in.

*This from General Sherman is a sample of telegrams he secured from active generals: "If the President modifies the draft to the extent of one man or wavers in its execution, he is done; even the army would vote against him."

To Governor Morton,* Indianapolis, August, 19, 1862: The most peremptory orders have been given to supply you with funds. If it is not done, I will dismiss the officer whose neglect occasions the delay, no matter what his rank.

Whenever a person of foreign birth who was averse to entering the military service of his adopted country was enrolled, he filed a protest with the minister, consul, or agent of his native land, alleging foreign allegiance and exemption from military duty in the United States. The foreign minister demanded suspension of proceedings until the case could be investigated, which embarrassed and sometimes interrupted recruiting operations. Stanton therefore ordered that whenever a drafted or enrolled man of foreign birth had voted, he should be held for military duty without waiting for further information or proceedings. "A man who votes must bear arms," he telegraphed to Governor Salomon of Wisconsin.

In some instances, under this rule, men of foreign birth were enrolled, drafted, mustered in, forwarded, and killed in battle before the foreign agents had completed their "investigations." They had voted, held office, or served on juries, and Stanton ordered them to be whirled away to the front.

While providing bounties, pressing the draft, punishing rioters, and prodding the recruiting officers, he also appointed commissions composed of distinguished men to examine enrollment lists, reassign and equalize quotas, unearth frauds, eliminate delays, and generally right such wrongs as so vast a piece of unusual machinery might develop. Sometimes, as in the case of New York, he appointed a separate commission for each State. As these commissions were required to make formal reports of their doings, a written history of everything thus investigated was put on record for the future justification of Stanton.

Early in 1863 he suggested the formation of an invalid corps, and soon organized over two hundred companies of experienced soldiers who had become, by wounds, or illness, incapacitated for field duty. This corps guarded prisoners, manned garrisons, cared for hospitals, defended arsenals, and performed other duties which,

*This telegram to Morton was brought out by the fact that the "copperhead" legislature of Indiana had refused to vote funds or men to carry on the war for the Union, thus completely tying the Governor's hands; and Stanton, rising supreme, as he always did on vital occasions, had agreed to forward something like a quarter of a million dollars from the Federal supply at Washington.

without them, would have drawn twenty-five thousand or more able-bodied troops from the fighting line. He also suggested the veteran corps, to be composed of men who had served two years and over and were therefore not liable to draft. Grant heartily approved the suggestion and shortly thereafter Stanton sent forward an instalment of twenty thousand veteran fighters.

For a time drafted men were permitted to purchase exemptions by paying three hundred dollars in cash to the provost marshals. Stanton asked Congress to wipe out that privilege, saying that he wanted men, not money. Thereafter drafted men were compelled to serve or hire substitutes, and the armies were filled.

Bounty-jumping was one of the curses of troop-raising; yet, in his anxiety to accelerate recruiting, Stanton himself probably did as much as anybody to make giving and jumping bounties two of the conspicuous features of the war. He had favored paying bounties and Congress had provided for a bonus of one hundred dollars to each volunteer. On July 1, 1862, he authorized advance payment of twenty-five dollars of that bonus, taking the money therefor out of the adjutant-general's fund of nine million dollars. This so greatly stimulated enlistments that thereafter the bounty business became prodigious. After June 25, 1863, the Government paid four hundred dollars in eight instalments to veterans who re-enlisted; after October 24, 1863, three hundred dollars in seven instalments to new recruits; and after July 19, 1864, one hundred dollars for one year, two hundred dollars for two years, and three hundred dollars for three years to new recruits.

To these bounties some local authorities, States, corporations, and wealthy individuals added large bonuses, frequently swelling the amounts to one thousand two hundred, one thousand five hundred, and two thousand dollars per man, all save that from the Federal Government payable in cash on enlistment. Desertions and bounty-jumping almost beyond belief followed.* Many men re-enlisted dozens of times, selecting for their criminal operations the localities paying the largest cash bounties.

Stanton could not prevent wealthy from out-bidding poor communities for recruits enough to avert a draft, but finally issued an order to credit every enlisted man to the town or ward in which he resided, no matter where he enlisted. This raised a storm, many

*Official returns reported 278,644 deserters, of whom 77,181 were arrested and returned.

governors hastening to Washington to urge that the order be set aside; but he was inexorable, and Congress followed with laws of the same tenor. The secret of the opposition to this order lay in the fact that many local authorities winked at bounty-jumping. They secured enlistments to fill their quotas by large bounties and, reporting their quotas full, relied on the Federal Government to hold the men thus enlisted or catch them if they deserted—an impossibility. Stanton's order made filling quotas by mere paper enlistments impossible—the actual men must be delivered; hence the vigorous but futile opposition of governors and leading men who theretofore had been supposed to be loyal to the core.

The wisdom of his methods for replenishing the armies* and putting finally a million men under arms at once, which were denounced as “arbitrary,” “subversive of State rights,” “autocratic,” and all that, is amply proven by a condensation from the official record of their results:

1. A complete exhibit of the military resources of loyal States where none had existed, showing 2,254,163 men, not including 1,000,516 under arms when the war closed; 1,120,621 men, not including cadets, etc., raised at a cost of \$9.84 per capita, whereas the previous system, with cheaper rents, subsistence, etc., cost \$34.01 per man; 77,181 deserters captured and returned.

2. A system of minute records of physical condition, age, etc., of all men examined placed in the army archives.

3. An exact, digested exhibit of killed, imprisoned, deserted, executed, died of disease, etc., left to the historian.

4. A self-sustaining basis established, with \$9,390,105.64 balance at the end of the war to turn over to the United States Treasury from fees, etc., provided by law, whereas the cost of the preceding mode of recruiting (\$34.01 per man) came directly out of the Treasury.

To illustrate Stanton's great constructive and administrative genius, General Thomas M. Vincent says that “when the Government was driven suddenly into the Spanish war in 1898, the War Department officials found in Series III. of the ‘Records’ a precedent for everything they were called upon to do,” so that absolutely nothing had to be invented, nothing tested; there was no delay.

*Nearly 1,250,000 men are required for an army of 1,000,000 effective soldiers. The constantly sick averages about 116,000; deaths and discharges, 166,000 per year; deserters and missing, 68,000 per year; other losses, 12,000. Thus, the recruiting necessary to keep an army of 1,000,000 effective men at the front averages about 246,000 per year, or 21,000 per month. Stanton's vast energy not only reached but passed this average.

CHAPTER XLIII.

THE FIRE IN THE REAR.

On being sworn in secretary of war, Stanton found the family of a leading general who held a confidential position in Washington imparting valuable military information to "friends in Richmond"; an arsenal foreman an outspoken secessionist; an ordnance officer in correspondence with a Confederate commander; many members of the National Volunteers, an organization formed to prevent the inauguration of Lincoln, occupying positions in the War Department; some of the leading clerks robbing the Government by collusion with contractors for army supplies; the Department mails used for carrying damaging information to the insurgents, and the fluctuations of the Treasury, the progress of recruiting, proposed army movements, and even cabinet discussions reported promptly and accurately in Richmond.

He dismissed the postal messenger in the War Department and detailed his own confidential clerk (A. E. H. Johnson) to succeed him,* thereby stopping, as he wrote to C. A. Dana, many "rat holes."

The Knights of the Golden Circle, Sons of Liberty, Circle of Hosts, Union Relief Society, and kindred oath-bound orders of numerous membership, weakened the Government and harassed Stanton almost as much as the armed enemies at the front. Their extent and power were surprising. When C. L. Vallandigham was

*"On January 30, 1862," says Major A. E. H. Johnson, "I was ordered to take charge of the mails. Before that the bags were the daily vehicle for the letters of Washington rebel sympathizers to their friends in the South, the letters being collected in a pouch in the hall so that anybody could use it. The mail was also opened upon a table in the hall, and distributed by the messenger. I had charge of the mails two months, and during that time secured evidence on which clerks were dismissed, army officers arrested for fraud, and a very high civilian official sent on a mission from which he never officially returned. As he was departing, the President, who was present, inquired where he was going, and the reply was, 'Up in a balloon.'"

at the head of the Golden Circle he claimed to have initiated two hundred thousand "copperheads" capable of bearing arms, and the allied orders in 1864 were said to number eight hundred thousand, North and South. During McClellan's campaign for the presidency they were known as the "McClellan Minute Guards." Their oaths varied slightly and the central name was changed from time to time, owing to exposure of their officers and rituals by Stanton's secret service. Their purpose may be inferred from their oaths, a sample, given in the Federal court of Indianapolis, being in part thus:

I, _____, do solemnly swear in the presence of Almighty God that I will go to the aid of all true and loyal Democrats and oppose the confiscation of their property either North or South. I further promise and swear that I will not reveal any of the secret signs, passwords, or grips to any not legally authorized by this order, binding myself under no less penalty than having my bowels torn out and cast to the four winds of heaven; so help me God. I promise and swear that I will do all in my power to bring all loyal Democrats into this Circle of Hosts. I further promise and swear that I will do all in my power against the present Yankee-abolition-disunion administration; so help me God.

Subscribers to the oath of the Union Relief Society, as disclosed in the Federal court at Des Moines, were compelled to swear: "I will resist draft either by State or Federal authorities; I will resist all orders issued by the present administration; and I will do all in my power to unite the States of the Northwest with the Southern Confederacy."*

This tremendous army of sedition, partially armed and drilled, was practically beyond Stanton's reach. However, when captured papers disclosed that one of his personal friends and a member of the court of claims in Washington was a high official of the disloyal order, he instructed Colonel W. P. Wood to lay the inculcating documents personally before the judge. Court was in session, but Wood strode up to the bench saying: "I am directed by the Secretary of War to deliver this package to you in person and to say that

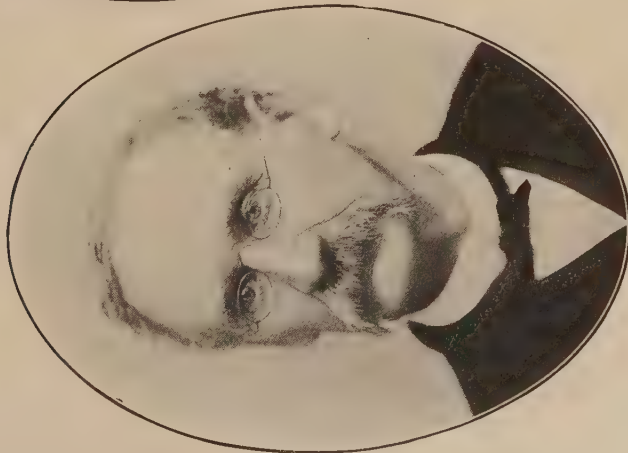
*Governor Morton telegraphed to Stanton, January 3, 1863, that the Indiana legislature contemplated "acknowledging the Southern Confederacy, and urging the States of the Northwest to dissolve all constitutional relations with the New England States. The same thing is on foot in Illinois." C. L. Vallandigham stated in Canada that the Knights of the Golden Circle proposed to seize the governments of the Northwestern States, and, joining with the South, dictate terms of peace.



FERNANDO WOOD, M. C.



CLEMENT L. VALLANDIGHAM, M. C.



L. P. MILLIGAN.

it relates to a matter demanding immediate attention." Court was hastily adjourned; the frightened judge proceeded quickly to the War Office, where he finally took the oath of allegiance and gave such information as enabled Stanton to break up the order in the District of Columbia and cripple its power everywhere. That information disclosed that one of the chief purposes of the order was to destroy the Government arsenals and war stores, which fact was confirmed by documents filed by Allan Pinkerton. Thereupon, in September, 1862, Stanton issued an order to General Ripley, chief of ordnance:

You will give immediate and strict attention to the officers in charge of all the arsenals, armories, and magazines of the United States. There is reason to believe that an organized design is on foot for their destruction.

So thoroughly was this order carried out that no arsenals were destroyed, although not less than fifty attempts were made upon the Indianapolis arsenal alone. But Stanton was not equally successful everywhere, although in every community throughout the North, Union Leagues, Orders of the Stars and Stripes, Loyal Legions, Sons of Patriots, and similar clubs were organized under oath to offset the doings of the "copperheads." All were in secret communication with Stanton, as the following incident, related by George B. Smythe of Newark, Ohio, will show:

The Union League in Columbus, a secret organization, sent information to Secretary Stanton. Lists of prominent people alleged to be disloyal were thus forwarded and Stanton ordered their arrest.

The late Allen G. Thurman and myself arranged to have two men join, and, neither knowing what the other was doing, report its proceedings to us. They reported a list of names that had been made up to forward to Mr. Stanton, among them those of Thurman and myself. We took the postmaster, a mutual friend, into our confidence. When time came to make up the Washington mail he told his clerks that he himself would attend to it. Later his action leaked out and he lost the post-office.

Mr. Stanton narrowly escaped being a victim of his own kind of machinery. For a time during the war his mother resided at Gambier. Coming West to see her, he stopped at Newark. Joe Griffith, marshal, noticed a stranger walking up the middle of the street alone and arrested him as a suspicious character. Mr. Stanton was able to demonstrate that he was the Secretary of War and Griffith conducted him to the American House where, without registering, he remained until night, *incognito*. Later a message came from the hotel to my office saying that the Secretary of War would like to see me. The memory of severe criticisms which I had made being fresh, I had not the courage to meet Mr. Stanton, and I sent

word back that I was "too busy to see the Secretary of War." I have never ceased to condemn myself for that hasty decision, for I never again had an opportunity of meeting my old friend.*

Being in Steubenville, his birthplace, during the war, Mr. Stanton met an old political friend, Moses Dillon, who had been unfortunate and was now poor. "Come to Washington, Mose," said he, taking his friend by the hand sympathetically, "and I will give you employment. I suppose, of course, you are a steadfast Union man?" "Well," was the reply, "I voted for Vallandigham for governor."

"Voted for Vallandigham! Then you shall never have a position under this Government if I can prevent it," exclaimed Stanton, turning on his heel.

Clement L. Vallandigham, for whom Stanton's friend Dillon could not vote and be loyal, was convicted of sedition at Cincinnati on May 19, 1863, by a military commission, and sentenced to Fort Warren during the remainder of the war. Ten days later on Stanton's recommendation,† Lincoln commuted the sentence by directing the prisoner to be sent beyond the Federal military lines, which was done, and with which judgment the United States Supreme Court refused to interfere.

Very many of Stanton's early friends, like Vallandigham, much to his sorrow and embarrassment, did not support the Government. One of them was L. P. Milligan of Huntington, Indiana, who was convicted by a military commission of connection with the Knights and conspiring against the Government. The findings were approved by the President and the day fixed for the execution. In the meantime Lee had surrendered and Mrs. Milligan had made a personal visit to Stanton, the friend of her childhood, which resulted in commuting the sentence of her husband,‡ who was finally

*Mr. Smythe "stood up" with the groom at Stanton's marriage with Mary A. Lamson.

†Stanton and Vallandigham were born in adjoining counties in Ohio and from youth had been intimate personal friends. Their friendship was of such a character that Stanton loaned \$500 to Vallandigham with which to complete a course and set himself up in law.

‡Says Mr. Milligan: "My wife visited Stanton with a written brief of my case which I had prepared. The vestibule of his office was a jam; but she was admitted at once. Mr. Stanton looked at the paper, said he recognized the handwriting, put the brief in his breast pocket and said: 'Mrs. Milligan, you will have to excuse me; my time is precious; but you go

released from prison at Columbus, the United States court declaring his conviction to have been illegal.

Certain members of Congress caused Stanton much anxiety. Their hostile speeches, printed in the *Globe* and circulated free over the country, gave great encouragement to those who opposed the war. Perhaps the brothers Benjamin and Fernando Wood of New York were as troublesome as any of this class. In June, 1862, a committee was appointed to inquire into the allegation that the former had communicated Federal information to the enemy. He gave out that he intended to attack the Government in reply to the proceedings. By Stanton's orders the telegraph wires leading to the Capitol were switched into the War Department so he could follow the speech, and officers were detailed to clap Mr. Wood into the Old Capitol Prison in case the promised remarks should be too disloyal. Contrary to expectation, Wood said nothing offensive; but his paper, the *New York News*, was suppressed for seditious utterances and disloyal practises and not permitted to resume publication during a period of eighteen months. Later, when Fernando Wood made a speech against the Government, Stanton heard it by telegraph with warrant in hand for his arrest if necessary; but the speaker was not molested. However, the fact that Stanton knew the substance of every disloyal speech as soon as it was uttered, and that he was ready to cut the oration short at any point if deemed advisable, had a depressing effect and made his influence more potent than that of any other person in the Republic.

An exasperating feature of his troubles was the foreign citizenship of many of the spies and agents of the Confederacy. Supplied with passports called "protection papers," they were supposed to be neutral; but as a matter of fact, hundreds of them, including very many foreign consuls, belonged to the Knights of the Golden Circle, raised money for the South, gave information for running the blockade with contraband goods, carried contraband despatches and articles through the Federal lines, and maintained a perfect line of communication between the Confederate government at Richmond and their many agents in Canada and Europe.

home. Your husband will not be executed and when the present excitement subsides he shall be released.' My wife left for home in full confidence that I was not to be executed. Three hours after this interview Governor Morton and Senator Hendricks received despatches from the War Office announcing the commutation."

Jacob Thompson, Buchanan's secretary of the interior, was the leader of the junta in Canada, where plots against the Government were concocted, some of which were to blow up the locks at Sault Sainte Marie, the outlet of Lake Superior; set fire to Northern cities on election day; send clothing infected with smallpox, yellow fever, and other diseases throughout the North; liberate the Confederate prisoners at Chicago, loot the banks and burn the city; deliver the captives from the barracks on Johnson's Island, in Lake Erie; seize Fort Montgomery and the boats on Lake Champlain; raid and rob Plattsburg, Whitehall, Burlington, Swanton, and St. Albans—especially the banks of those cities—and, by destroying railways and bridges, hold the Northern frontier, with Fort Montgomery as a base.

Most of these plans were exposed and frustrated by Stanton's ceaseless vigilance, but kidnapping Lincoln and his cabinet was conceived and paid for in Montreal and Toronto, and, on October 19, 1864, St. Albans was raided, two persons were killed, and two hundred thousand dollars taken from the banks. The raiders were twice arrested but discharged by the Canadian courts on the ground that they were belligerents and the raid an act of war. Later, however, Canada was compelled to make reimbursement of the stolen funds.

The Chicago conspiracy was frustrated in November, 1864. Large quantities of arms were captured by General P. St. George Cooke, and hundreds of members of the Indiana and the Illinois Sons of Liberty, nearly two hundred Confederates who had been ordered over from Canada by Jacob Thompson, and several British subjects* provided with so-called "protection papers," were arrested. Thereupon Stanton instructed his officers to incarcerate incommunicado every agent or person known to be traveling about under the shield of "protection papers." This order pretty effectively disposed of the most despicable of secret foes with which he had to contend, but created a new class of personal enemies whose tongues are still wagging.

*In New Orleans, those claiming to be British and other foreign subjects were unable to cope with the vigor of General Butler, so thousands of them secreted their property, ceased work, and lived upon his bounty as paupers—a shrewd way of burdening the Government.

He was hampered by a fire in the rear from the cabinet itself. Before becoming secretary of war he had criticized the Navy Department, especially the payment of a very large fee or "commission" to a favorite relative of the Secretary for purchasing vessels, so that Mr. Welles was uncordial from the beginning.

Postmaster-General Blair was hostile, even protesting against Stanton's retention as secretary. As he was a Marylander, Stanton called his attention, in cabinet meeting, to the fact that nearly all the postmasters in lower Maryland were receiving contraband letters, articles, documents, and information and forwarding them by blockade runners to Richmond, and suggested that each secretary be held responsible for the loyalty and conduct of his own employes and appointees. The feeling thus accentuated was further inflamed by the arrest of several Marylanders, who turned out to be Mr. Blair's relatives, for trading in quinine with the Confederates. In view of this relationship and the fact that some of the parties arrested were women, Stanton ordered their release after confiscating their horses and vehicles and four hundred and fifty ounces of quinine. Mr. Blair demanded restitution of the property, which was refused, and then asked Lincoln for the dismissal of General L. C. Baker, who made the seizures. As Baker was Stanton's personal appointee and agent, Lincoln advised Stanton of the demand and was assured that "Mr. Blair's dismissal would be more beneficial to the country than that of General Baker." Thereafter Mr. Blair's displeasure was very positive and so continued to the end of life. He was retired from the cabinet on September 23, 1864.

Perhaps Stanton's most interesting opponent was Mrs. Lincoln, whose personal intimacy with the Woods and other enemies of the administration and the war he mentioned to the President himself.

"Mr. Stanton was often enraged because Mrs. Lincoln sent quantities of flowers from the Government greenhouses to the residence of Congressman Fernando Wood whenever Mr. and Mrs. Wood—both of whom denounced the Secretary and the war incessantly—gave a public reception," says Major A. E. H. Johnson. "She retaliated by sending to him books and clippings describing an exacting and disagreeable person." However, during 1863 Mrs. Lincoln became reconciled to Stanton's heroic ways and their intercourse thereafter was entirely agreeable.

Thus is faintly indicated the character of the hostile forces that

were operating behind his back,* as well as how largely alone he stood in the great task that was set for him to accomplish. More than 90 per cent. of all the criticism and denunciation which have echoed and reechoed over his grave during the past thirty years can be traced to those whose unlawful or selfish plans were thwarted, whose filchings were recovered,† whose unfaithful heads were guillotined, or whose crimes were punished by his fearless and overmastering energy.

*The crushing perplexity that constantly attended the endeavor to save a country that was trying, secretly as well as openly, to destroy itself, is partially illustrated by thousands of telegrams and letters on file in the secret archives of the Government of which this is a sample:

"New York, Dec. 29, 1863, 1 P. M.

"The Honorable Edwin M. Stanton, Secretary of War:

"I have this morning seen evidence which affords good ground for the belief that the United States Marshal here is probably in full partnership with the rebel operators of this city. From long personal knowledge of the individual, I have no doubt he is perfectly capable of such treasonable conduct.

"C. A. Dana."

†Stanton's secret service alone recovered over \$1,000,000 of stolen cash and sent more than 1,000 offenders to prison.

CHAPTER XLIV.

HAMPTON ROADS PEACE CONFERENCE.

On December 28, 1864, Lincoln gave to F. P. Blair a pass through the lines for a journey to see Jefferson Davis. On January 18, Blair returned with a letter from Davis which said he would "not stand on forms" in an effort to restore "peace to the two countries." Lincoln, very much pleased, instructed Blair to revisit Richmond and learn what steps Davis proposed to take in behalf of peace. On second thought he consulted Stanton, who exclaimed:

There are not two countries, Mr. President, and there never will be two countries. Tell Davis that if you treat for peace, it will be for this ONE country; negotiations on any other basis are impossible.

Lincoln instantly adopted this view and sent a reply to Davis by Blair agreeing to receive agents to treat for peace for our "one common country."

Thereupon Davis appointed R. M. T. Hunter, Alexander H. Stephens, and John A. Campbell to proceed to Washington to meet the President, and asked Grant for safe conduct. Stanton peremptorily forbade issuing passes to insurgent agents to visit Washington. Next morning, however, he telegraphed that a messenger would meet the gentlemen where they were—at City Point, near Richmond—and sent Major Thomas T. Eckert, who bore a letter from Lincoln saying simply that if the proposed commissioners would come to the terms of his letter to Davis—to treat for peace in "one common country"—they would be met.

Grant had represented that the commissioners were sincere, but Major Eckert, who was sent by Stanton to prevent Lincoln from being snared into agreeing to destructive terms of peace, thought he did not find them so, and turned them back. Grant, seeing his representations going for naught, telegraphed at length to Stanton that the insurgent commissioners were in earnest and that Lincoln himself ought to meet them, and then gave the safe conduct which Eckert, under Stanton's instructions, had refused. Stanton declined to

have anything to do with the affair. He believed that it was decidedly beneath the dignity of the President and his cabinet, and also that it must prove a failure or a disaster because, he said, Lincoln "had no right to do anything except demand unconditional surrender," and he had learned (which fact Eckert had confirmed at City Point) that the commissioners were empowered to come to no terms that did not recognize the Confederacy as a separate State. He so informed Lincoln and begged him to be cautious.

"You observe, Mr. President," he said, "that Davis himself does not propose to meet you; he sends underlings who have no discretion beyond their instructions and whose acts can be repudiated, if necessary. But go, if you think the proposition is not a trap,* and I will remain here and push our plans for crushing the enemy, which is the only thing that will save the Union."

Lincoln, offering no reply, proceeded to Fortress Monroe and, with Secretary Seward, had a conference of four hours with the insurgents, which resulted, as Stanton had predicted, in nothing, though many writers of "history" allege that the President offered to pay the insurgents four hundred million dollars for their slaves if the war should be closed at once. This assertion is probably entirely unfounded, as Stanton had explained before Lincoln departed that already all the slaves of rebellious masters had been confiscated under the laws of war, and therefore could not be subjects of compensation. He also pointed out that Congress had passed the Trumbull (XIIIth) Amendment of the constitution, which forever wiped out slavery both as a thing and as a right, so there were no slaves in existence to be paid for. However, the historian can only imagine what would have happened if Stanton had not interposed a masterful hand.

*"Mr. Stanton did not want the President to grant that conference," says Major A. E. H. Johnson. "He believed from the beginning that the coming of the Confederate commissioners was a trap laid for Mr. Lincoln. He did not want to accompany the President and suggested sending General Eckert in advance with specific instructions to test the sincerity of the commissioners, and privately told Eckert to 'keep close to Mr. Lincoln.' When General Eckert returned he raised his hands above his head and exclaimed: 'You are head and shoulders above them all, Mr. Secretary!' He then related all that had transpired. He never made a written report, but I know that Mr. Stanton enjoined him to watch closely the proceedings and I know also that he obeyed the injunction and reported thereon orally."



CITY POINT, VA.—PRESIDENT LINCOLN'S PRIVATE CAR IN FRONT.

CHAPTER XLV.

THE SURRENDER—A RESCUING HAND.

Lincoln and the several members of his cabinet gathered in a room at the Capitol on the evening of March 3, 1865, to dispose of the last bills of the expiring thirty-eighth Congress. While thus engaged a telegram from Grant advised that Lee sought an interview for the purpose of arranging terms of peace. Lincoln, rejoicing at the prospect of terminating the war and overflowing with kindly feelings, proposed to allow Grant to extend to the vanquished insurgents almost any terms they might ask if they would cease fighting.

"Stanton listened in silence," says Carpenter's "Six Months in the White House," "restraining his emotion; but at length the tide burst forth. 'Mr. President,' said he, 'to-morrow is inauguration day. If you are not to be president; if any authority is for one moment to be recognized or any terms made that do not signify that you are the supreme head of the nation; if generals in the field are to negotiate peace, or any other chief magistrate is to be acknowledged on this continent, you are not needed and you had better not take the oath of office.'"

The President's tone changed. "I think the Secretary is right," he said with an air of thoughtfulness and, taking a pen, wrote the following, which, being satisfactory, was dated and signed by Stanton and sent from the Capitol:

Washington, March 3, 1865, 12 P. M.

Lieutenant-General Grant:

The President directs me to say to you that he wishes you to have no conference with General Lee, unless it is for the capitulation of General Lee's army, or on some minor or purely military matter. He further directs me to say to you that you are not to decide, discuss, or confer upon any political question. Such questions the President holds in his own hands and will submit them to no military conference or convention. Meantime you are to press to the utmost your military advantages.

Edwin M. Stanton,
Secretary of War.

Pending the conversion of Lincoln to the above and during the night of March 3, Stanton formulated and sent the following, which refers to the preliminary work of arranging the proposed conference with Lee:

General Ord's conduct in holding intercourse with General Longstreet upon political questions not committed to his charge is not approved. The same thing was done in one instance by Major Key when the army was commanded by General McClellan and he was sent to meet Howell Cobb on the subject of exchanges, and it was in that case, as in this, disapproved. You will please in the future instruct officers appointed to meet rebel officers to confine themselves to the matters especially committed to them.

Grant was embarrassed and probably nettled by the peremptory nature of these instructions, for Lincoln himself had personally told him to "give Lee anything he wants if he will only stop fighting,"* in accordance with which, through his staff officer (E. O. C. Ord), he had sent word to the Confederate commander that he "would not decline" a conference for the purpose of discussing a basis for ending the war, or at least suspending hostilities. A "basis" was promptly outlined by Jefferson Davis and discussed at several interviews between General Ord in behalf of Grant and General Longstreet in behalf of Lee and "President" Davis.

On February 28, Davis, having given authority to Lee to enter finally upon these negotiations, Grant telegraphed and Stanton answered as above set forth. Thus Lincoln was thrashed out of his previous untenable views and Grant rescued none too soon from an entangling position—that of "negotiating peace" when he had no authority except to accept surrender. In that moment of weakness, a single intellect was clear enough, a single will decisive enough to prevent a reprecipitation of chaos.

On March 14, Stanton visited Grant at headquarters to give advice by parol which he did not care to put in writing concerning terms of surrender and kindred matters. "You must capture Lee at any hazard," was his injunction. "Yes," quietly answered Grant, "I shall do so in about twenty days." Then, after witnessing a review of General Meade's army, he returned to Washington and suggested to Lincoln, reinforced by Grant, that it might be interesting for the President to be near the front to witness the collapse.

*See Secretary Welles' "Lincoln and Seward."

Lincoln adopted the suggestion and left on March 23, on board the *Bat*, for City Point, to carry out Stanton's remarkable program. He there received a telegram from Stanton: "I hope to have a telegram from you dated at Richmond before you return." Generally, Stanton's communications were swift and sharp, like the discharges of a Gatling gun; but the prospects of a speedy collapse of the Rebellion seemed to relax the severity of his temper. "Your telegram and Parke's report of the scrimmage this morning are received," he replied to a telegram from Lincoln on the 25th. "The rebel rooster looks a little the worse, as he could not hold the fence. Now that you are away, everything is quiet; the tormentors have vanished. I hope you will remember General Harrison's advice to his men at Tippecanoe, that they could see as well a little further off."

Thus he telegraphed on the 26th: "Your military news warms the blood, or we should be in danger of a March chill." On the 31st, Lincoln having expressed an intention to return to Washington, Stanton thus protested: "I hope you will stay and see it out. I have strong faith that your presence will have great influence in inducing exertions that will bring us Richmond. Compared to that, no other duty can weigh a feather. A pause now by the army would be harmful. If you remain on the ground, there will be no pause."

Lincoln remained as requested, Grant and other generals telegraphing full advices to him which were repeated promptly to Stanton, who formulated bulletins therefrom to be telegraphed broadcast over the country. Thus, with their President for reporter, the people were kept in elation and excitement for a week by the news from the front. On the 3d of April he telegraphed to Stanton that Petersburg had been evacuated and he was about to accompany Grant on the march of interception. Stanton inquired instantly: "Ought you to expose the nation to the consequences of any disaster to yourself in the pursuit of a treacherous and dangerous enemy like the rebel army?" Thus warned, the President desisted, and that very morning General Godfrey Weitzel entered Richmond, hoisted the Stars and Stripes and took formal possession of the city. Next morning Lincoln, on foot and with no guards, passed into the smoking and ruined capital.

At this moment W. E. Kettles of Boston, 16 years of age, was operating the Richmond wire in the War Department. His story is most interesting:

On the morning of April 3, 1865, Fort Monroe suddenly switched City Point on and told us to look out for Richmond. "Richmond" meant an operator within four miles of the city and not the city proper, and we all accordingly sharpened for "R'd." Quickly there came a despatch to Mr. Stanton saying that General Weitzel entered Richmond that morning at 8:15 o'clock.

I took the despatch, and ran with the copy to the room adjoining the library, upsetting my table, ink and all. I found Mr. Tinker, the cipher clerk, who in three seconds disappeared with the message. I went back to my table, which had been fixed up in the meantime, soon followed by Mr. Tinker. We stepped to a window overlooking the street. Just as we did so a man sauntered up the walk in front of the Department and as he was a friend of Mr. Tinker's, yelled up: "What's the news?" Mr. T. replied: "Richmond's surrendered!"

It was comical to see that man go yelling out of the front yard. In four minutes there were thousands of people around the Department. Every office and building in the city seemed to open at the same time. The streets filled from every direction. Horse cars had no show; steam fire-engines came out on the avenue, bunched themselves, and commenced whistling; cannon planted in the park close by began firing; and men, women, and children yelled themselves hoarse and acted ridiculous. The noise was tremendous—pandemonium is the word.

At this time Secretary Stanton came into my room, and, on being told by General Eckert that I was the boy who received the message, grabbed me in his arms, lifted me to the window sill and, making a gesture to the crowd below, shouted: "My friends, here is the young man who received the telegram which tells us of the fall of Richmond."

At the sight of Stanton the cheering became more vociferous than ever, accompanied by peremptory demands for a speech. With voice half choked and form shaking with emotion, he made this lofty response:

Friends and Fellow Citizens:

In this great hour of triumph my heart as well as yours swells with gratitude to Almighty God for His deliverance of this nation. Our thanks are due to the President, to the army, to the navy, to our great commanders on land and sea, to the gallant officers and men who have periled their lives upon the field of battle and drenched the soil with their blood.

Henceforth our commiseration and our active aid should be extended to the wounded, the maimed, and the suffering who bear the many marks of their sacrifices in this mighty struggle.

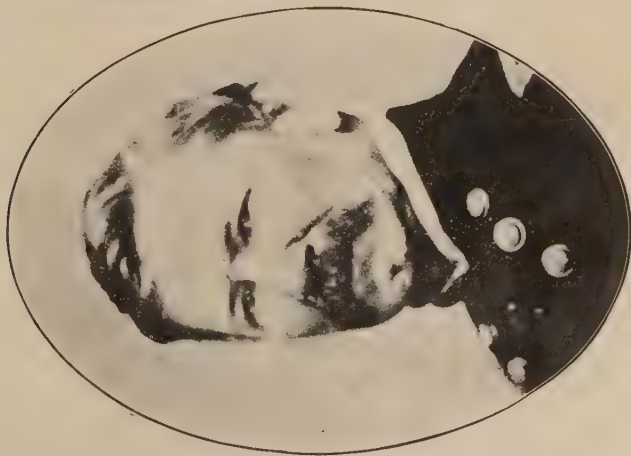
Let us humbly offer our thanks to Divine Providence for His care over us and beseech Him to guide and govern us in our duties hereafter, as He has carried us to victory in the past; to teach us how to be humble in the midst of triumph; how to be just in the hour of victory; and how to so secure the foundations of this Republic, soaked as they are in blood, that they shall last forever and ever!



GEN. WINFIELD S. HANCOCK.



GEN. U. S. GRANT.



GEN. ROBERT C. SCHENCK.

At the conclusion of his speech Stanton read to the multitude the official telegram from General Weitzel announcing the surrender, whereupon there were calls for a speech from Willie Kettles. Stanton again lifted the lad to the window who says of his experience:

Insignificant things were great things on that day and Mr. Stanton's performance set the vast crowd to yelling, the cannons to roaring, and the whistles to screeching more terribly than ever; and I, who weighed nearly 90 pounds, was a big man—as big a man, I thought, as Mr. Stanton himself. The Republic was saved, and I felt that I had saved it.

The Secretary was beside himself with joy. The investment of Richmond was his chief hobby, and he was intensely anxious to have Jeff Davis with all his papers,* captured along with the remainder of the Confederate effects. "We must have him, too," he said. "We must let him see what he has been doing."

The War Department enjoyed a sort of go-as-you-please day—the first in its history under Mr. Stanton. No one ever beheld a more changed man. He walked about the building smiling, chatting, and receiving callers in exuberant mood. Toward midnight, however, the usual pressure was suddenly renewed, "for," said he, "we must have Lee in the same basket with Jeff Davis," believing, when he made the remark, that Davis had been captured by General Weitzel.

Grant immediately energized his pursuit of Lee who, on the afternoon of April 9, surrendered his starved and shattered legions at Appomattox, precisely "as a purely military matter" without "deciding, discussing, or conferring upon any political subject."

After this, seeing the inevitable was at hand, General Joseph E. Johnston sent overtures to General Sherman for terms of surrender. A meeting was arranged and the two commanders (Johnston strictly representing "President" Davis, but Sherman acting in entire absence of instructions from and without the knowledge of Stanton or Grant) signed, in the presence of John C. Breckinridge, the Confederate secretary of war, a complete military arrangement, dated April 18, 1865—a "Memorandum Basis of Agreement" for all the States of the Union, loyal and insurgent, as follows:

*Stanton gave special instructions to Charles A. Dana with reference to Confederate records and documents. On the day of the evacuation General G. F. Shepley was appointed military governor of Richmond and before night had promulgated orders to capture and turn over to Provost-Marshal Manning all papers and records belonging to or relating to the Confederate government. History now knows the value of Stanton's wisdom in this respect.

1. The contending armies in the field to maintain the *status quo* until notice is given by the commanding general of any one to his opponent, and reasonable time, say forty-eight hours, allowed.

2. The Confederate armies now in existence to be disbanded and conducted to their several States and capitals, there to deposit their arms and public property in the State arsenal; and each officer and man to execute and file an agreement to cease from acts of war, and to abide the action of both State and Federal authority. The number of arms and munitions of war to be reported to the chief of ordnance at Washington City, subject to the future action of the Congress of the United States, and in the meantime to be used solely to maintain peace and order within the borders of the States respectively.

3. The recognition by the President of the United States of the several State governments on their officers and legislatures taking the oath prescribed by the constitution of the United States; and where conflicting State governments have resulted from the war, the legitimacy of all shall be submitted to the Supreme Court of the United States.

4. The reestablishment of all Federal courts in the several States, with powers as defined by the constitution and the laws of Congress.

5. The people and inhabitants of all States to be guaranteed, as far as the executive can, their political rights and franchises, as well as their rights of person and property, as defined by the constitution of the United States and of the States respectively.

6. The executive authority of the Government of the United States not to disturb any of the people, by reason of the late war, so long as they live in quiet and peace, and abstain from acts of armed hostility, and obey the laws in existence at the place of their residence.

7. In general terms, it is announced that the war is to cease; a general amnesty, so far as the executive of the United States can command, on condition of the disbandment of the Confederate armies, the distribution of arms, and the resumption of peaceful pursuits by officers and men hitherto composing said armies. Not being fully empowered by our respective principals to fulfill these terms, we individually and officially pledge ourselves to promptly obtain authority, and will endeavor to carry out the above program.

This extraordinary "agreement," written almost entirely by J. H. Reagan, postmaster-general in the Confederate cabinet, and copied and amended a little for the worse by Sherman, was despatched by sea to Grant (in Washington), who at once, on April 21, transmitted it to Stanton. Andrew Johnson was now president; Lincoln's cortége was moving slowly and sadly towards Springfield; Secretary Seward lay at his home gashed by an assassin's knife; the entire force of the secret service and portions of the army were scouring the country for Jefferson Davis or pursuing John Wilkes Booth; and the people were in no temper to extend concessions of

State sovereignty and insurgent supremacy to the rebellious sections.

Stanton advised President Johnson to call a meeting of the cabinet at 8 o'clock that evening, which was done. He then returned to the War Department—for already he had determined a course of action—and began to prepare not only orders and instructions to supplant Sherman's political "agreement" with mere military terms of surrender, but a semi-official address giving the reasons therefor, which should also be an assurance to the people that he would certainly so watch and supervise everything that the insurgents could not secure undue advantage in terms of surrender nor succeed in grasping by diplomacy what they had failed to win by battle.

He paced the floor in suppressed excitement, reading again and again the terms of the "agreement," which he could scarcely credit, picturing the chaos and contention that must follow the sanction of an instrument which reversed the laws, annulled the proclamations, and neutralized the sacrifices and bloodshed of four years of warfare. He wanted to make short work of the cabinet meeting; was eager to send off his orders and advise the people that no misstep would be permitted.

When 8 o'clock arrived, he was ready with his telegrams and papers and, with overwhelming impetuosity, stated the case, outlined his program, and enforced his views. No one was able to object; his plan was confirmed, and he returned to the War Department to execute it, after requesting Grant to call a little later. "It was 9 o'clock at night," says Major A. E. H. Johnson, who was present, "when Mr. Stanton returned to the War Department from that cabinet meeting, and at once called in General Eckert and said to him: 'Hold all the telegraph offices of the country open till midnight.'"

General Grant then came into the Secretary's room and after some conversation received a letter of instructions and orders to go to Raleigh, N. C., and take charge of the army. He sailed that night for Raleigh in the steamer which brought the despatches from General Sherman. "He did not want to go," says Major Johnson, "and felt hurt in having to go."

"General Grant did not wish to go in person to interfere with General Sherman," says Quartermaster-General M. C. Meigs. "He did not seem to consider the matter of much moment, and, at the worst, regarded the army as supreme in the land, 'agreement' or

no 'agreement.' He hesitated and Mr. Stanton turned to me saying: 'General Meigs, you go with General Grant; my carriage is at the door.' I cheerfully assented and we drove rapidly to the wharf. The General said very little and seemed taciturn; but, on returning, he was more cheerful and admitted guardedly that he 'supposed Secretary Stanton was right.'"

As soon as Grant departed for Raleigh, Stanton gave to the public by telegraph the Sherman-Johnston "agreement" and the following nine reasons (together with his telegram of March 3 to Grant) why that "agreement" had been rejected and the simple terms accorded by Grant to Lee substituted:

1. It was an exercise of authority not vested in General Sherman, and, on its face, shows that both he and Johnston knew that General Sherman had no authority to enter into any such an agreement.

2. It was a practical acknowledgment of the rebel government.

3. It undertook to reestablish State governments that had been overthrown at the sacrifice of many thousands of loyal lives and an immense treasure, and placed arms and munitions of war in the hands of the rebels at their respective capitals, which might be used, as soon as the armies of the United States were disbanded, to conquer and subdue loyal States.

4. By the restoration of rebel authority in their respective States,* they would be enabled to reestablish slavery.

5. It might furnish a ground of responsibility on the part of the Federal Government to pay the rebel debt, and certainly subject loyal citizens of rebellious States to debts contracted by the rebels in the name of the State.

6. It put in dispute the existence of loyal State governments, and the new State of West Virginia, which has been recognized by every department of the United States Government.

7. It practically abolished confiscation laws, and relieved rebels of every degree, who have slaughtered our people, from all pains and penalties for their crimes.

8. It gave terms that had been deliberately, repeatedly, and solemnly rejected by President Lincoln, and better terms than the rebels had ever asked in their most prosperous condition.

9. It formed no basis of true and lasting peace, but relieved rebels from the presence of our victorious armies and left them in a condition to renew their efforts to overthrow the United States Government and sub-

*In a letter from Raleigh to General J. E. Johnston, on April 21, 1865, General Sherman said, among other things of the same trend: "I shall look for General Hitchcock back from Washington on Wednesday and shall promptly notify you of the result. By the action of General Weitzel in relation to the Virginia legislature [see chapter XLVI.], I feel certain we will have no trouble on the score of recognizing [Confederate] State governments."



COL. N. E. DAWSON.



GEN. WM. T. SHERMAN.



GEN. ADAM BADEAU.

due the loyal States whenever their strength should be recruited and an opportunity offered.*

Reaching Moorhead City, North Carolina, on April 23, Grant despatched the substance of Stanton's instructions to Sherman, who transmitted their purport to Johnston, adding a notification that the truce would close forty-eight hours after the receipt thereof and demanding that the Confederate army be forthwith surrendered. Johnston requested another conference, which was held on the 25th, when the terms of surrender accorded to Lee were agreed upon and approved by Grant.

Sherman and his partisans and McClellan and his writers have been unsparing in their denunciation of the part Stanton played in this incident, yet no one has sustained the Secretary so thoroughly as Sherman himself. In a letter of April 15, to Stanton, he wrote: "I will give the same terms General Grant gave General Lee and be careful not to complicate any points of civil policy."

Three days later, under the personal influence of General Johnston and John C. Breckinridge, he did the very thing he said he would not do, and, in transmitting his "agreement," wrote requesting General Halleck to see President Johnson and "influence him, if possible, not to vary the terms at all, for I have considered everything!" He also requested Grant to ask the President to "commission" him to "carry out the terms!" On the following day, before the terms were known outside of Richmond and his own staff, Sherman assumed them to be final and published a rejoicing order to the country announcing "an agreement with General Johnston and *other high officials* [Jefferson Davis, John C. Breckinridge, and J. H. Reagan] which, when formally ratified, will make peace from the Potomac to the Rio Grande." Immediately afterward, having had his "agreement" peremptorily and entirely reversed and having received Grant's views, he wrote to Stanton on the 25th: "*I admit my folly in embracing in a military convention any civil matter.*"† Later

*Jefferson Davis agreed exactly with Stanton as to the meaning of the terms of surrender. On April 23, while waiting for their approval at Washington, he wrote: "To us they are hard enough, tho' freed from wanton humiliation and *expressly recognizing the Confederate State governments*, and the rights of persons and property [slaves] as secured by the constitution of the United States and of the several States."

†On April 27, the newspapers being filled with comments upon the "agreement," John Sherman wrote at length from Cleveland in behalf of

the sledge-hammer character of the nine reasons, which were prepared and sent out without the knowledge of the President or the cabinet, began to dawn upon him, and a flood of furious censure by the press for having been "trapped" into signing the "agreement" came pouring in.

Besides, Grant, who attended the cabinet meeting at which the terms were reversed, committed the grave breach of informing Sherman that in that meeting Stanton declared them to be "little short of treason." The General now became overwhelmingly incensed. At the Grand Review, a few days afterwards, he undertook to avenge himself by publicly insulting Stanton, his superior, for having overridden, in the interest of their common country, what he himself, in his letter of April 25, had correctly described as his "folly."

his brother, saying to Stanton among other things: "I am distressed beyond measure at the terms granted to Johnston by General Sherman. They are inadmissible. I will gladly go to Washington or anywhere else where I can render the least service. I do not want General Sherman to be unjustly dealt with, and I know you will not permit it; and especially I do not want him drawn into fellowship with the copperheads. You can, if you choose, show this to the President, or indeed to any one"

CHAPTER XLVI.

LINCOLN'S COLOSSAL BLUNDER RECTIFIED.

Assistant-Secretary C. A. Dana, with Quartermaster-General M. C. Meigs, was at City Point when the President entered Richmond after its fall, during the morning of April 4, 1865. In the columns of the paper announcing his coming was an official statement that Lincoln had instructed General Godfrey Weitzel to permit the insurgent legislature of Virginia to assemble at once.*

General Meigs discovered the announcement and handed it to Dana, who despatched the facts to Stanton. On receiving them Stanton telegraphed private instructions to Dana to prevent General Weitzel from taking any action under the "permit" until further orders. Lincoln returned (at Stanton's confidential request) and consulted with Stanton, when General Weitzel was ordered to countermand the "permit."

Judge Campbell, in a written report to the insurgent legislature, concerning his interview with Lincoln, avers that the President stated: "If the government of Virginia will administer the laws in connection with the authority of the United States, *no attempt* will be made to establish or sustain any other authority." Here was one of the great political crises of the war, and Stanton

*Before the night of the day on which Richmond fell, Lincoln had a long conference with John A. Campbell (a justice of the United States Supreme Court, who had resigned in 1861 to cast his fortunes with the Confederacy) in reference to rehabilitating the State of Virginia by means of a "permit" which (together with a guiding memorandum to Judge Campbell) he gave to General Weitzel as follows: "It is intimated to me that the gentlemen who have acted as the legislature in support of the Rebellion may now desire to assemble at Richmond and take measures to withdraw the Virginia troops and other support of resistance to the general Government. If they attempt it, give them permission and protection, until, if at all, they attempt some act hostile to the United States in which case you will notify them, give them reasonable time to leave, and at the end of which time arrest any one who remains. Allow Judge Campbell to see this, but *do not make it public.*"

lifted the administration and the nation from the engulfing danger by main strength.*

Had the legislature been allowed to assemble and proceed unbridled as if nothing had happened since 1860, a precedent would have been set for recognizing all the insurgent legislatures—in not one of which could be found a Union man—and the fruits of the war would have been nullified.

Lincoln alone failed to see the import of his blunder. The sub-officers of the army saw it; the Confederates understood and planned for it, and General Sherman quoted it as a justification for the destructive terms of surrender which he had just offered to General J. E. Johnston. In his letter of April 23, 1865 (before he had received Stanton's reversal of his terms or was aware that the permit to assemble the insurgent legislature of Virginia had been countermanded), General Sherman wrote to Johnston: "I send you a late paper showing that the *Virginia State authorities are acknowledged* and invited to resume their *lawful functions*." Lincoln and Sherman labored under the same disability; they could not see that an insurgent and absolutely unlawful legislature never could have, under the Government they had rebelled against, any "lawful functions" to "resume."

The latter has suffered severely in history on account of his attempt to fix the political status of the rebellious sections by a mere military stipulation with an insurgent commander; yet Sherman was only a soldier, whose terms could be, as they were, reversed and annulled, while Lincoln was president of the United States and commander-in-chief of the army and navy, with supreme discretion in military affairs. Therefore, when, by the secret letter to General Weitzel, he undertook to hand over to the Virginia legislature that which the Confederate armies had been unable to secure by four years of war, he entered the vortex leading to destruction, for there was no one above him to countermand his orders.

Stanton, however, always potential in emergencies, urged his return to Washington, freed his mind from error and prevented a political catastrophe. Stanton alone understood Lincoln; he alone

*"I received instructions from Mr. Stanton," says Charles A. Dana, then assistant secretary of war, "to gather all papers, information, and documents I could find at the fall of Richmond and to keep as close as possible to Mr. Lincoln for the purpose of watching and reporting. The great end was near and Mr. Stanton was determined to prevent steps or proceedings of any kind that might prove destructive or embarrassing in the future."



GEN. JOHN M. SCHOFIELD.

possessed the courage to prevent the President's misconception from reinvolving the Government in blood. Congress made an investigation of the matter, during which Stanton, under oath, testified interestingly as follows:

The order of Mr. Lincoln on April 12, on file in the War Department, is the last order he ever made of which I have any knowledge. It was the last time he was in the War Department.

Immediately after the capture of Richmond, Mr. Lincoln went to that city and some intercourse took place between him and Judge Campbell, formerly of the Supreme Court of the United States, and General Weitzel, which resulted in the call of the rebel legislature to Richmond. Mr. Lincoln, on his return from Richmond to Washington, reconsidered the matter.

The policy of undertaking to restore the Government through the medium of rebel organization was *vehemently opposed* by me. I had several very earnest conversations with Mr. Lincoln upon the subject and advised him that any effort to reorganize the Government should be under Federal authority solely, treating the rebel organizations and government as absolutely null and void.

On the day preceding his death a conversation took place between him, the Attorney-General, and myself upon that subject at the executive mansion. After an hour or two, during the middle of the afternoon, Mr. Lincoln came over to the War Department and renewed the conversation. After I had repeated my reasons against allowing the rebel legislature to assemble, or the rebel organizations to have any participation whatever in the business of reorganization, he sat down at my desk and wrote a telegram to General Weitzel and handed it to me, saying: "There, I think that will suit you."

I told him no, it did not go far enough; that the members of the rebel legislature would probably come to Richmond and that General Weitzel ought to be directed to *prohibit* any such assembling.

He took up his pen again and made the alteration and signed the telegram. He handed it to me. I said, *that*, I thought, was exactly right. It was transmitted immediately to General Weitzel, and was the last act that was ever performed by Mr. Lincoln in the War Department.

Some of the other rebel States, after the surrender of the rebel armies, called together their legislatures, and, either pursuant to instructions from the War Department or on their own discretion, the commandants prohibited the assembling of those bodies.

The rebel authorities were all overthrown and destroyed, as I understood the case, by the war, by the capture of their armies and their States.

The only witness of the last great interview between Lincoln and Stanton, the interview which saved the nation from Charybdis and the President from ignominy, is Major A. E. H. Johnson, who

thus comprehensively describes the momentous occasion from precious notes taken by him on the spot:

In the afternoon about 5 o'clock the President came over to the War Department, and it was while sitting on the sofa in the Secretary's room looking towards my desk, that Mr. Stanton told the President why he should not turn over the determination of such grave matters to the Virginia legislature. It was then that Mr. Stanton again urged his plea that the reorganization of the seceded States should be under Federal authority. He told the President that the conqueror and not the conquered should control the State in the matter which was vital for all time; that to place such powers in the Virginia legislature would be giving away the scepter of the conqueror; that it would transfer the result of victory of our arms from the field to the very legislatures which four years before had said, "give us war"; that it would put the Government in the hands of its enemies; that it would surely bring trouble with Congress; that the people would not sustain him; that it would disturb the harmony between the executive and Congress; that reconstruction would have to deal with the new conditions of things, among which would be a change in the basis of representation now that all the blacks were free; that it would have to deal with the debts of the Federal and the Confederate Governments; that in all this the Southern legislatures would be in the ascendancy, and the political power of the South increased; that the fate of the emancipated millions would be solely under the control of such legislatures; that the result of the war would go for nothing if those results were to be determined by the enemies of the Government; that it would be better to have nothing to do with the rebel legislatures; that the Virginia legislature was dead and could not again assemble at Richmond without permission of the Government, and to bring to life a dead legislature would bring endless trouble to the Government and to reconstruction; that, in fact, it would defeat any reconstruction, because Congress would not sanction any government established by it; that, being once assembled, its deliberations could not be confined to any specific acts, and that to disperse it would produce another rebellion; that the Virginia legislature should be ignored even in the capacity of its members as citizens for any purpose.

In pleading with the President—I can see the Secretary now, earnest and full of feeling and the President listening in profound thought, saying not a word—the Secretary's manner was not his usual manner; it was argumentative. The President had no story to illustrate his position or that of his Secretary. It was a solemn occasion, and upon that interview hung the destiny of reconstruction, of peace, and orderly government for the Southern people, and Mr. Stanton prevailed!

CHAPTER XLVII.

CELEBRATING AND REJOICING.

On Tuesday, April 4, following the fall of Richmond, Washington was wild with music, guns, speeches, rockets, and bonfires. The War Department was the center of attraction. The building was alive with fire from basement to tholus, and in the court colored lights of immense power turned a complete drapery of silken flags into a bower of patriotic splendor. In the center, jets of flame gave life to the words, "THE UNION: IT MUST AND SHALL BE PRESERVED." Beneath this motto a spirited American eagle grasped in his beak the significant word, "RICHMOND." Stanton's residence was superbly decorated with flags, flowers, evergreens, lanterns, and gas jets and was visited by thousands of people who cheered and serenaded the Secretary repeatedly.

At 9:20 on the evening of the 9th, Stanton received a telegram from Grant advising him officially of the capitulation of Lee. As soon as he had sent bulletins of the glorious news to General Dix in New York, and forwarded the famous telegram of thanks to Grant, he "*Ordered*, That a salute of two hundred guns be fired at the headquarters of every army and Department and at every post and arsenal in the United States and at the Military Academy at West Point, on the receipt of this order, in commemoration of the surrender of General R. E. Lee and the army of Northern Virginia to Lieutenant-General Grant and the army under his command." States, cities, towns, villages, and crossroads hastened to recognize the order and thus began, with the mightiest roar of artillery ever heard on the continent, the second celebration which culminated in Washington on the 12th.

Again Stanton led and again the War Department and the Secretary's residence fixed the standard in the art of patriotic decoration. The windows of the Department were solid sheets of light; the front was covered with flags, banners, evergreens, and corps badges; over the balcony was a large semi-circle of binnacles; beneath the arc, in letters of flame, was the word, "GRANT."

Music, speeches, parades, and fireworks entertained the masses everywhere and three military bands and a vast concourse of people gathered about his residence to do special honor to Stanton. Thrice the multitude raised a great shout and thrice he led forth General Grant (who was his guest) to receive the resounding acclaims that were intended for himself!

On the evening of the 13th the third and final illumination took place, far surpassing previous efforts in variety, design, and extent. Even men who had been supposed to be disloyal became infected with the general enthusiasm and decorated their houses. Arlington, across the Potomac from Washington, the splendid estate of General Lee that had been confiscated by the Government, was magnificently illuminated, in tragic contrast to the fate of the former owner; the streets and outlets were ablaze with bonfires, and speeches, marching bands, and military manœuvres enlivened the parks and avenues.

As before, the War Department was the center of attraction and admiration and again the Secretary's residence was gorgeously decorated and illuminated. In the midst of myriads of lights, flags, wreaths, and ensigns with which the War Department building was covered, the name of Grant again shone in sheets of fire above the portico; while high over all, as if suspended by unseen hands from above, in letters of softly subdued light, hung the sweet and healing word, "PEACE."

The war was over. The iron hand that had pursued and smote with fearful energy now led all others in hoisting over the very heart of military power the gracious banner of reconciliation. Amidst the roar, the flame, and the blaze of triumphant rejoicing, Stanton did not forget the South. He held aloft, so they might behold it above the noisy blare of victory, the guiding star of hope to cheer them amidst the ashes of their defeat and invite them back to fraternity, unity, prosperity, and greatness.

The following day, April 14, under Stanton's orders, the officers of the Federal Government, with elaborate ceremonial, raised over the ruins of Fort Sumter the flag that, four years ago on that day, had been struck down by the opening assaults of armed secession. General Robert Anderson, who commanded on April 14, 1861, was present and unfurled the stained but triumphant banner over the battered citadel, and Henry Ward Beecher delivered his great peace oration.



JOHN H. SURRATT.
(In Uniform of Papal Zouave.)



JOHN WILKES BOOTH.

In the evening, after the celebration, General Gilmore, in command of the Charleston district, gave a dinner at the Charleston House to the Government's guests. Joseph Holt was present to represent Stanton and when, in an eloquent and patriotic address, he referred to the "lion-like courage" with which the great Secretary had "fought the Rebellion in all the vicissitudes of its career," there was enthusiastic cheering.

Stanton had suggested that the same commander (Anderson) hoist the same old flag and the same chaplain (Reverend Mr. Harris) offer prayer at the rehabilitation in order to "put things back as they were four years before," thus vindicating "Old Glory" and adding double emphasis to the idea of an indestructible Union.

Originally he expected to attend the celebration, but had recently been compelled to avert so many catastrophes that he feared to leave Washington, and said to Joseph Holt: "I cannot go. It is not safe. No one can tell what may happen. You go and stand and speak for me, and God's blessing be upon the gallant officers who will be there and upon the flag and the nation!"

At the very moment that Judge Holt was standing and speaking as ordered at old Sumter, one assassin was lurking in Stanton's vestibule, another was cutting at the throat of Seward, and the third sent a death-shot through the brain of President Lincoln!

CHAPTER XLVIII.

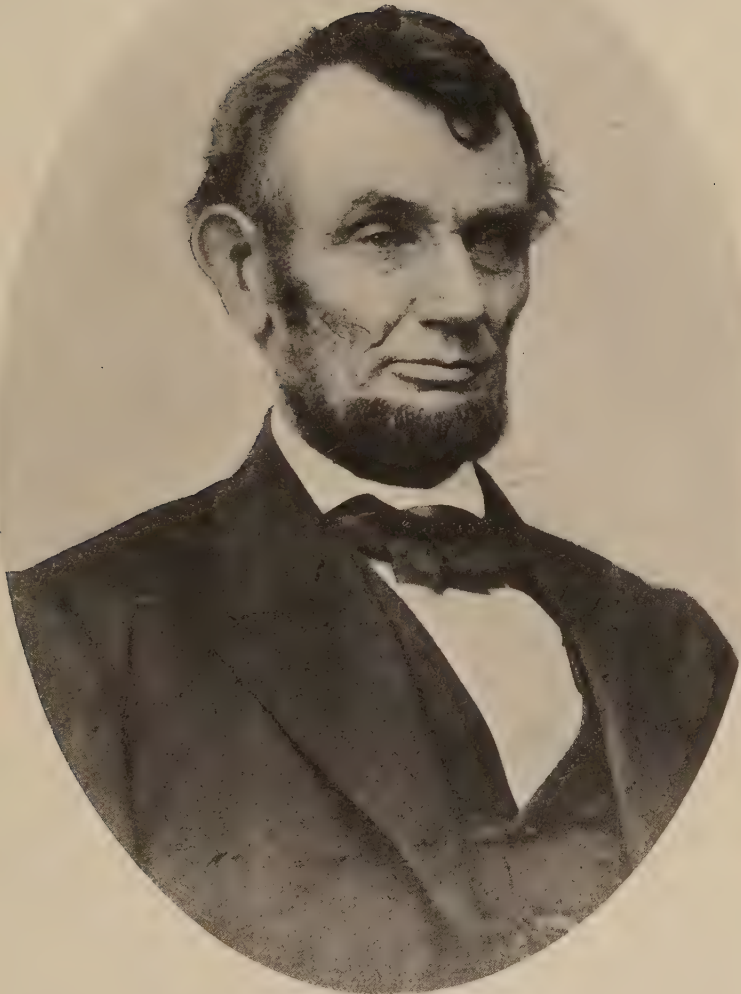
LINCOLN ASSASSINATED—STANTON AS ACTING-PRESIDENT.

For nearly two years there was an active conspiracy to kidnap President Lincoln and his cabinet.* At one time the conspirators believed they had their hands on Stanton and at least twice they could have made off with Lincoln; but no opportunity ever offered for executing the plan to capture the entire executive force at a single sortie.

A plan to kidnap Stanton and take him to Richmond was entrusted to a secession band with headquarters on the Saunders farm in West Virginia, about six miles from the Ohio River. A sharp and nervy young woman made regular trips to Steubenville, Ohio, for the purpose of reporting to the band any visit which Stanton might be about to make to that city. She was frequently accompanied by a neighbor of Union sentiments named W. R. Burgoyne (now of Steubenville), who was aware that she was doing secret work for the Confederates. Finally, she learned that Stanton had arrived and intended on Saturday to accompany Dr. William Stanton over the river into West Virginia. Arrangements were made to capture him, but an urgent telegram from Washington caused him to return forthwith. Thus he escaped. "I learned years afterward from a leading secessionist," says Mr. Burgoyne, "that the preparations made to take Mr. Stanton to Richmond were so ample that failure would have been practically out of the question."

The executive head of the kidnapping movement was John Wilkes Booth, a mercurial, high-strung, and convivial actor, whose

*A body of preachers called upon Stanton and suggested that if Jefferson Davis were captured and brought to the Old Capitol Prison, the Rebellion would soon fall to pieces; and that they wished personally to aid in the venture. In order to satisfy his callers, who were headed by the Reverend Byron Sunderland, Stanton ordered Colonel W. P. Wood to Richmond to investigate the project. In about a week Wood reported that the scheme was impracticable and undignified, and that ended the matter.



ABRAHAM LINCOLN.

secession sentiments were so intense as to almost unbalance his mind. His backers advocated kidnapping; he himself preferred poisoning. He wrote with a diamond on a pane of glass in a hotel at Meadville, Pennsylvania: "Abraham Lincoln departed this life in November, 1864, by poison." Although prolific in plans and threats, he constantly failed in execution. However, the fall of Richmond, the surrender of Lee, and the flight of Jefferson Davis, accentuated by the tumultuous and exultant celebration in Washington which followed those events, raised him to an unusual pitch of frenzy. He passed rapidly from place to place in Washington, drinking heavily and talking vengeance vehemently.

Shortly before noon of the day of the assassination (April 14), he met John Francis Coyle, editor of the *National Intelligencer*, and invited him to join in a bottle of wine at the Club. While they were partaking, Booth declaimed angrily against the Government and the North, exclaiming:

"Coyle, what would happen if Lincoln were removed?"

"You would have Andrew Johnson, not so good a man as Lincoln, for president."

"What if Andrew Johnson, too, were dead?"

"The president of the Senate would succeed as president."

"What if Lincoln, his cabinet, and all the constitutional successors were out of the way?"

"You would have anarchy—but what are you talking about? There are no Brutuses in these days."

"That's so; no Brutuses in these days."

Here the conversation ended and the acquaintances parted, the incident passing at once out of Mr. Coyle's mind. "Booth," says Mr. Coyle, "was of peculiar temperament. He was crazy on secession. My wife, a native of Baltimore, was a hearty secessionist, and Booth frequently came to the house to draw comfort from her, talking the same wild nonsense, as I always supposed, that characterized his conversation with me at the Club. I never attached the lightest weight to his vaporings and never had a thought that he was not harmless."

Wrought up intensely by the trend of affairs, Booth continued his libations and very soon afterwards, perhaps at 3 o'clock P. M., having seen an announcement that Lincoln and Grant would attend the theatre that night, brought his accomplices swiftly together and gave orders for them to execute, as previously agreed and rehearsed,

their respective parts in the bloody deed which a few hours later shocked all mankind.

His plan, which recently had been changed from kidnapping to murder, was to assassinate President Lincoln, Vice-President Johnson, General Grant, Stanton, and others of the cabinet, and thus bring on, as Coyle had explained to him, a reign of anarchy.

For startling climax, history affords hardly a parallel to this over-awing tragedy. Richmond, the Confederate capital, had fallen; Lee had surrendered and his starving men and horses were being fed by Grant's commissaries; "President" Davis was skulking through the Southern forests; the old flag, amidst toasts, songs, and banquet speeches, was being hoisted over Fort Sumter by the same hands that, four years before, were forced by secession bombardment to haul it down; the Federal capital was a scene of unmatched jubilation; Stanton, throwing off his iron mask, was trotting about in exhilarated joy; Lincoln was disporting himself in boyish glee, and cannons were booming, bands playing, bonfires burning, processions marching, flags flying, congregations giving thanks, and the masses singing and shouting from ocean to ocean.

At such a moment, Booth, whose ill-balanced brain was fired with brandy, entered Ford's Theatre on Tenth Street, in which he had often been an actor, where Lincoln and his party were enjoying "Our American Cousin." Advancing to the Presidential box, for he knew the way perfectly, he placed the pistol close to the President's head and fired. The explosion was not loud and attracted no attention, the audience supposing that it emanated properly from the stage.

Simultaneously with an outcry from the box a moment later, Booth leaped to the footlights, the concussion breaking his ankle and throwing him nearly prostrate.* Swinging his pistol aloft from his recumbent position, he shouted, "Sic Semper Tyrannis!" Then, scrambling to his feet and limping from the stage, he reached and mounted a horse held in waiting in the alley and rode at breakneck speed over the eastern branch of the Potomac to Mrs. Surratt's hotel at Surrattsville.

At practically the same moment Lewis Payne secured entrance to the house where Secretary Seward was confined by a recent acci-

*If, as he leaped, he had not caught his foot in the American flag and stumbled, Booth would not have broken his ankle, and if he had not been crippled he might have successfully escaped.

dent and assaulted him furiously with a poinard. Frederick W. Seward and an attendant (Robinson), who ran to the rescue, were also gashed.

General Grant escaped by leaving the city for Burlington, New Jersey, a few hours before the moment fixed for his assassination, and a disabled door-bell on Stanton's house saved the Secretary of War. Hudson Taylor of Poughkeepsie, New York, then a resident of Washington, saw the conspirator attempt to enter Stanton's house at the hour fixed for the attack.

"I was tired out and went home early," says Stanton, "and was in the back room playing with the children when the man came to my steps. If the door-bell had rung it would have been answered and the man admitted, and I no doubt would have been attacked; but the bell-wire was broken a day or two before, and though we had endeavored to have it repaired, the bell-hanger had put it off because of a pressure of orders."

Those who were to assassinate Vice-President Johnson and the remaining members of the cabinet either lost their courage or were prevented by insurmountable circumstances—probably over-intoxication—from executing the parts assigned to them.

Stanton was informed by a messenger of the bloody work at Seward's house, whither he sped with all haste. Finding Mr. Seward alive and learning there that Lincoln had been shot, he sprang into the headquarters of General C. C. Augur (next to Seward's house) to leave orders for him, as military governor, to be alert with his forces for any possible emergency, and then ran to the theatre on Tenth Street. The entire vicinity was choked with people who, recognizing the Secretary, parted and permitted him to enter the house opposite the theatre, owned by William Petersen, to which Lincoln had been transferred.

No words can describe the situation at this moment. Not a sound was uttered—hardly a head was covered; the air seemed to breathe impending anarchy; the vast throng stood ready for vengeance.

The supposition was universal that the assassination was the signal for a new uprising of the Confederacy; that the hostile powers which were supposed to be in their expiring agony had suddenly risen from an assumed comatose condition to strike a supreme blow. A general secession attack from secret quarters was momentarily expected, and the people nerved themselves to meet it. Thousands

of Union soldiers who had recently arrived in the city came out armed as if by magic, as did all private citizens. Throughout the District the mysterious call of the Union League—two short, sharp raps thrice repeated—sent every member double-quick to headquarters to declare himself ready for duty. The long roll at the barracks of the Black Horse squadron (the President's body-guard) startled the residents in that vicinity and brought the troopers flying to the center. Every Federal officer and soldier in the District sprang to duty; the entire police force was out and the agents of the Secret Service swarmed the alleys and scouted the roads leading out of the city.

Stanton instantly assumed charge of everything near and remote, civil and military, and began issuing orders in that autocratic manner so supremely necessary to the occasion and so perfectly true to his methods, giving, during that strained and terrible night, an exhibition of the great qualities which had been potential in saving the nation.

That he should have been present thus to act as dictator is an interesting manifestation of public fortune. He had expected to deliver a speech at the celebration and flag-raising at Fort Sumter arranged for the same night. Some intuition led him to send Joseph Holt in his stead, to whom he said: "Something admonishes me to remain," and on that admonition he remained!

Officers stationed at the door allowed no one to enter and squads of soldiers kept clear the space immediately in front of the Petersen house. Stanton sent for David K. Cartter, chief justice of the District of Columbia, who, arriving at once, began in an adjoining room to take the testimony of those who possessed any knowledge concerning the tragedy. Simultaneously he ordered the presence of Charles A. Dana, assistant secretary of war, who, being a good stenographic writer,* wrote from dictation telegrams to all parts of the country.

*"That night," says Mr. Dana, "I was awakened from a sound sleep with the news that Mr. Lincoln had been shot and that the Secretary wanted me. I found the President lying unconscious, though breathing heavily, on a bed in a small side room, while all the members of the cabinet and the Chief Justice with them, were gathered in the adjoining parlor. They seemed to be almost as much paralyzed as the unconscious sufferer within the little chamber. Mr. Stanton alone was in full activity.

"'Sit down here,' said he, 'I want you.'

"Then he began to dictate orders one after another, which I wrote



SAMUEL ARNOLD.



MICHAEL O'LAUGHLIN.



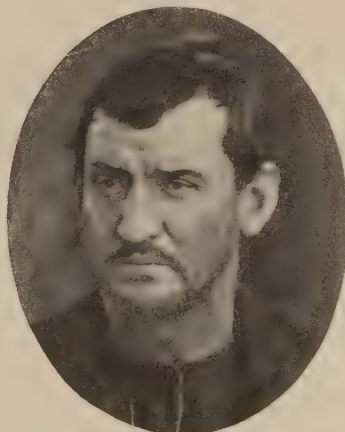
GEORGE A. ATZEROTT.



LEWIS PAYNE.



DAVID E. HEROLD.



EDWARD SPANGLER.

LINCOLN CONSPIRATORS.

He sent for several army officers to act as aides; directed General Thomas M. Vincent (assistant adjutant-general) to take charge of affairs in the Petersen building; telegraphed to General Grant at Philadelphia that Lincoln had been shot and to return at once to Washington; issued orders, oral and written, to the police and military authorities of the District to be prepared for emergencies; telegraphed to Chief Kennedy of New York to send on his best detectives immediately; ordered General L. C. Baker to return from New York to search for the assassins; soothed and cheered Mrs. Lincoln; advised Grant (at 11:30) at Philadelphia to watch every person approaching him and have a detached locomotive precede his train on its way to Washington; ordered President Garrett to use the utmost speed of the Baltimore and Ohio Railway to bring Grant to the capital; wrote and despatched a note to Chief Justice Chase, saying the President could not live and to be ready to administer the oath of office to Vice-President Johnson; notified the Vice-President that the President was dying; and sent to the people bulletin after bulletin concerning the tragedy and Lincoln's condition.

The bulletins are models of directness and comprehension. The first, written with his hat for a support, says Colonel A. F. Rockwell, and sent at 11:30 P. M., is as follows:

This evening at 9:30 o'clock, at Ford's Theatre, the President, while sitting in his private box with Mrs. Lincoln, Miss Harris, and Major Rathbone, was shot by an assassin who entered the box and approached behind the President. The person then leaped upon the stage, brandishing a large dagger or knife, and made his escape in the rear of the theatre.

The pistol ball entered the back of the President's head, and penetrated nearly through it. The wound is mortal. The President has been insensible ever since it was inflicted, and is now dying.

About the same hour an assassin, whether the same or not, entered Mr. Seward's apartment, and, under a pretense of having a prescription, was shown to the Secretary's sick chamber. The assassin immediately rushed to the bed and inflicted two or three stabs on the throat and two on the face. It is hoped that the wounds may not be mortal. My apprehension is that they will prove fatal.

The nurse alarmed Mr. Frederick Seward, who, from an adjoining room, hastened to the door of his father's, where he met the assassin, who inflicted upon him one or more dangerous wounds. The recovery of Fred-

out and sent swiftly to the telegraph. All these orders were required to keep the business of the Government in full motion till the crisis should be over. It was perhaps 2 o'clock in the morning before he said, 'That's enough, Now go home,'"

erick Seward is doubtful. It is not probable that the President will live through the night.

General Grant and his wife were advertised to be at the theatre this evening, but he started to Burlington at 6 o'clock.

This evening, at a cabinet meeting, at which General Grant was present, the subject of the state of the country and the prospect of a speedy peace was discussed. The President was very cheerful and hopeful, and spoke very kindly of General Lee and others of the Confederacy and of the establishment of the government in Virginia. All the members of the cabinet, except Mr. Seward, are waiting upon the President.

I have seen Mr. Seward, but he and Frederick were both unconscious.

At about 1:30 in the morning, being satisfied that Lincoln could not last much longer, he wrote a formal notification of the death of the President to Vice-President Johnson, upon whom the constitution devolved the office of chief-magistrate. Coming into the adjoining room, he handed the paper to General Vincent with orders to make a fair copy of it.* Thereupon Mrs. Lincoln, whose eyes followed Stanton's every move as the master-spirit of that heart-breaking night, sprang forward with a hysterical scream: "Is he dead? Oh, is he dead?" Stanton, as he had been doing, reassured and comforted the distracted woman,† but with indifferent success, as the steps she could see him swiftly taking told more plainly than words that the worst was known and the end was near.

Thus he continued throughout the night, acting as president, secretary of war, secretary of state, commander-in-chief, comforter,

*The closing portion of the notification said: "By the death of President Lincoln the office of president has devolved under the constitution upon you. The emergency of the Government demands that you shall immediately qualify according to the requirements of the constitution, and enter upon the discharge of the duties of president of the United States." The hour of death was filled into a blank left for that purpose as soon as Dr. Barnes announced that Lincoln was dead. A few minutes later, at the meeting of cabinet ministers, another paper (signed by Stanton, McCulloch, Dennison, Welles, Speed, and Usher) was drafted which informed Vice-President Johnson that "if you will make known your pleasure, such arrangements as you may deem proper will be made."

†Says General Vincent: "I cannot recall a more pitiful picture than that of poor Mrs. Lincoln, almost insane with sudden agony, moaning and sobbing out that terrible night. Mr. Stanton attempted to soothe her, but he was full of business, and knew, moreover, that in a few hours at most she must be a widow. She entered the room where her husband lay motionless but once before the surgeon announced that death was fast descending, and then fainted and was practically helpless."

and dictator. No one thought of questioning his authority nor hesitated to carry out his orders.

"After Lincoln's death the Government had no other head than Stanton," says Henry L. Dawes.

"I was profoundly impressed with Secretary Stanton's bearing all through that eventful night," says Colonel A. F. Rockwell. "While evidently swayed by the great shock which held us all under its paralyzing influence, he was not only master of himself but unmistakably the dominating power over all. Indeed, the members of the cabinet, much as children might to their father, instinctively deferred to him in all things."

At 7:22 in the morning of April 15, 1865, Lincoln, unconscious from the first,* gently ceased to breathe. Stanton touched the Reverend Mr. Gurley on the arm and said: "Doctor, please lead in prayer." The request was complied with amidst sobs and tears—the most affecting incident in the first supreme tragedy in American history.

The army and judicial officers, surgeons and others who had been requested or permitted to gather during the night, then filed out weeping. Surgeon-General Barnes tenderly drew a sheet over the face of the martyr and Stanton, as he darkened the windows, said impressively: "He now belongs to the ages."

All the members save Mr. Seward being present, he immediately called a meeting of the cabinet in a room adjoining the remains. They consulted standing. Stanton disclosed the notification to Vice-President Johnson and suggested that, as Mr. Lincoln's body would soon be removed to the White House, the first meeting with the new President, which should be held as soon as he had been sworn in, be appointed for the Treasury Department. That being understood, upon Mr. Stanton's intimation, all agreed to offer to resign whenever convenient to Mr. Johnson, or, if he should wish, to remain in office. Thereupon, having instructed Colonel L. H. Pelouze to tell Assistant-Secretary Dana to order the arrest of

*Says Colonel A. F. Rockwell, who was present: "During twenty minutes preceding the death of the President, Mr. Stanton stood quite motionless, leaning his chin upon his left hand, his right hand holding his hat and supporting his left elbow, the tears falling continually. There was one impressive incident which involves an interesting query: When the death of the President was announced, Mr. Stanton slowly and with apparent deliberation straightened out his right arm, placed his hat for an instant on his head and then as deliberately returned it to its original position."

Jacob Thompson (his associate in Buchanan's cabinet) and the police and military authorities to take the utmost precautions for the safety of General Grant, Stanton committed the dead to the especial care of General Vincent and, following the example of his colleagues, drove to his residence for breakfast.

"As he stood at the door ready to enter his carriage," says General Vincent, "he handed me his military cloak saying: 'Take this; you will need it. I shall ride home and can do without it.'

"Turning back into the house I entered the room where Mr. Lincoln lay, accompanied by Colonel Rutherford, who remained with me. On lifting the sheet, I saw that Mr. Lincoln's eyes were open—producing a sensation that will be vivid in my mind as long as I live. Colonel Rutherford produced a coin and I did the same, and, closing the eyes, I placed the coins upon them. A few minutes later a conveyance to carry the remains to the White House arrived and my sad, sad duties were ended."

CONSPIRATORS CAPTURED AND EXECUTED.

War Department, Washington, April 20, 1865.

Of our late beloved President, ABRAHAM LINCOLN.

\$50,000 REWARD!

\$25,000 REWARD!

will be paid for the apprehension of JOHN M. BURRATT, one of Booth's accomplices.

\$25,000 REWARD!

LIBERAL REWARDS will be paid for any information that shall conduce to the arrest of either.

Of the above-named criminals, or their accessories,
All persons harboring or assisting the said persons, or either of them, or aiding or assisting their
escape or flight, shall be treated as accessories in the murder of the President and the attempted
commitment of the said conspiracy of violence, and shall be subject to trial before a Military Commission and
the punishment of DEATH.
Let the stain of innocent blood be removed from the land by the arrest and punishment of the
murderers.

EDWIN M. STANTON, *Secretary of War.*

[illegible]

There was no authority of law for the foregoing, but his rewards were assumed and paid by Congress; and President Johnson's subsequent offer of one hundred thousand dollars for the capture of Jefferson Davis as the alleged chief procurer of the murder of Lincoln was also paid, although the prisoner was never tried on that or any other charge.

On April 26, Booth was shot by Boston Corbett while resisting arrest, and, at about the same time, Lewis Payne, Dr. Samuel T. Mudd, Edward Spangler, Michael O'Laughlin, D. C. Harrold, George B. Atzerot, and Samuel Arnold, accomplices, together with Mrs. Mary E. Surratt, whose house in Washington had been a long-time rendezvous of the conspirators, were apprehended.*

Booth's diary and personal effects (among them the Confederate cipher code) were turned over to Stanton at his residence and the prisoners closely confined on gunboats in the middle of the Potomac River,† especial watch being kept over Payne, who confessed to General Eckert that just half of the conspirators had been captured. Those who were undiscovered then still remain unknown.

On May 1, Attorney-General Speed having decided that the assassins were triable by a military commission, President Johnson ordered a detail of "nine competent military officers," with Joseph Holt for advocate-general; John A. Bingham, special advocate-general; Henry L. Burnett, special assistant; and General John F. Hartranft, provost marshal, to act as such commission.

The trial began in the old arsenal in Washington on May 10 (the day on which Jefferson Davis was captured) and was concluded on June 30, with a verdict of guilty—Mary E. Surratt, Lewis Payne, D. C. Harrold, and George B. Atzerot to be hanged and the

*Dr. Robert I. Porter of Bridgeport, Connecticut, says: "The body of Booth was taken in a row boat to the arsenal in the District of Columbia and in the dead of night, in the presence of the store-keeper, four soldiers, and myself, was so secretly hidden that the place never has been correctly described. We were ordered by Secretary Stanton to maintain silence and we have obeyed the order strictly to this day. The body was finally given to the Booth family under agreement that its resting place should never be marked."

†"The Secretary of War requests that the prisoners on board the iron-clads, for better security against conversation, shall have canvas bags placed over their heads, tied about the neck, with holes for proper breathing and eating, but not seeing, and that Payne be secured to prevent self-destruction."



EXECUTION OF THE LINCOLN CONSPIRATORS,
Mrs. Surratt, Payne, Atzerott and Herold.

others imprisoned. President Johnson on July 4 fixed the execution for Friday, July 7, but the warrants were not issued or known until the following morning, so that the culprits had only forty hours in which to prepare for death.

The friends of Mrs. Surratt made a strenuous effort for at least a reprieve, but Johnson refused to see any one in her behalf, directing General R. D. Mussey, his private secretary, to say to all callers that if they possessed additional evidence to present it to Judge Holt. Mrs. Stephen A. Douglas alone succeeded in reaching the President, but her appeal was futile.*

Father Walter of Washington, believing Mrs. Surratt, who was a member of his church, had been too severely condemned, was particularly active in her interest. Knowing his sincerity, Stanton sent General James A. Hardie (also a Catholic) to suggest to him the inadvisability of continuing efforts in her behalf in the absence of fresh and exculpating evidence. Father Walter refused to desist, whereupon Stanton sent General W. S. Hancock, in command of the post where Mrs. Surratt was confined, to consult with Bishop Spalding in Baltimore, who, seeing the ineptitude of an attempt to personally interfere with the processes of a duly constituted court, forwarded a telegram to Father Walter which had the desired effect. Thereupon Mrs. Surratt's attorneys presented to Judge Andrew Wylie, of the court of the District of Columbia, at 2 o'clock in the morning of the day fixed for the execution, a petition for a writ of habeas corpus, which was granted, commanding General Hancock, who had charge of the several prisoners, to produce her body in court. Hancock repaired with the writ to Stanton, who directed him to Attorney-General Speed. Without hesitation that officer drafted a proclamation, which the President signed at 10 A. M., suspending the writ of habeas corpus in the District of Columbia. At 12 o'clock the execution took place.

*Later, President Johnson changed completely. On February 8, 1868, as if to give his official approval to the assassination of Lincoln, he pardoned Dr. Mudd and on March 1, 1869, just as he was retiring to private life, pardoned Arnold and Spangler. O'Laughlin died in the military prison on the Dry Tortugas, an island off the coast of Florida.

CHAPTER L.

GRAND REVIEW—SHERMAN'S AFFRONT—DISBANDMENT.

The magnificent though partial exhibition of national strength known as the Grand Review, was projected by Stanton. It was his original design to have all the armies, one million in number, in review under arms and mustered out at the capital, making a demonstration vast beyond conception; but the cost of transportation and subsistence rendered that plan, he thought later, inadvisable.

As the different corps, divisions, and regiments passed before him, he recited to the distinguished reviewers near him their battles, losses, valor, and victories. "You see in these armies," he exclaimed, "the foundation of the Republic—our future railway managers, congressmen, bank presidents, senators, manufacturers, judges, governors, and diplomats; yes, and not less than half a dozen presidents"—which prophecy has been fulfilled practically, Grant, Hayes, Garfield, Harrison, and McKinley having been elected to the presidency from the Union armies.

Detailed reports of the review and of the splendid equipment of the Federal troops were made by the foreign representatives to their respective governments, establishing in Europe the first adequate conception of the enormous fighting strength of a free and spirited nation; and that was precisely Stanton's purpose.

The Grand Review developed many interesting incidents, but only one that fixed for itself a place in history—Sherman's affront to Stanton for reversing the Sherman-Johnston "agreement." The story is told by the Reverend Justin D. Fulton of Brooklyn, as follows:

Through Jay Cooke I had seats at the left of the grand stand. The first day of the review was given up to Grant's army. The second was given to Sherman, who rode his celebrated war-horse and looked every inch a soldier. Beside him rode the one-armed Major-General Howard. The first corps had passed. General Sherman gave his horse to his aide and

walked up to the stand. All rose to greet him. He shook hands with all until he came to Stanton, when he turned away. Quick as lightning-leap I rose within twenty feet of General Sherman and all, and shouted:

"Edwin M. Stanton, savior of our country under God, rise and receive the greetings of your friends!"

Sherman's face was black. President Johnson motioned Stanton to rise. He did not come until the words were repeated: "Edwin M. Stanton, savior of our country under God, rise and receive the greetings of your friends." He then came forth into the presence of at least 100,000 people, when I cried out aloud once more:

"Nine cheers for the savior of his country under God!"

The multitude joined in the acclaim and the great War Secretary received a recognition which would not have come to him had Sherman acted the gentleman.

For days the press teemed with accounts of the affront, some thinking General Sherman should resign and others that he should receive military punishment; but Stanton did not even refer to the incident. He regarded it as merely the involuntary ebullition of an infirm temper in a soldier who had struck telling blows for his country.

While this hostile clamor was at its height, Mrs. Sherman sent to Stanton, with her autograph card in the midst of it, a bouquet of beautiful flowers*—a rare offering of peace, a delicate plea for consideration. She did not justify her husband's discourtesy and wanted Stanton to know it. Afterward, when a military commission of which Sherman was a member was sitting in the War Department, Stanton, who harbored no personal animosity, invited the General into his private room, where the two sat for some time in friendly chat.

On April 13, previous to ordering the Grand Review and less than four days after Lee's surrender, Stanton gave public notice that he would shortly issue orders: "(1) To stop all drafting and recruiting in loyal States; (2) To curtail the purchase of arms, munitions, etc.; (3) To reduce the number of generals and staff officers to the actual necessities of the service; (4) To remove all military restrictions upon trade and commerce so far as consistent with public safety."

The assassination of Lincoln on the following day and the pursuit of the conspirators prevented issuing the promised orders until

*"I put Mrs. Sherman's gracious offering in water," says Major A. E. H. Johnson, "intending to send it to Mr. Stanton's house; but when the Secretary went, the flowers went, too."

the 28th, when he promulgated General Orders 72, consisting of ten sections, reducing the entire military establishment to a peace basis.

"That," says General Thomas M. Vincent, who prepared the details for and had immediate charge of disbandment, "is one of the Secretary's remarkable feats. As he stood at his high desk consulting and conversing with several important officers upon various other topics, he composed and wrote the paper—on which we all acted—to disperse our great armies and close up the enormous business of the military establishment. Copies of the paper were taken by photography for preservation and as an illustration of Mr. Stanton's wonderful range and accuracy of knowledge of military affairs."

Extra and expert clerks were sent wherever necessary, and if available buildings for offices were insufficient, wall-tents were provided. In the meantime, paymasters and quartermasters were despatched to the various State rendezvous, where salaries were paid and equipage received. Transportation for any emergency had been provided.

During June and July and five days in August, 650,000 soldiers were mustered, paid, and transferred bodily to their homes—10,000 a day, 1,000 an hour, Sundays included! "Had it been possible to spare all the volunteers, the entire number, 1,034,064, could easily have been disbanded and returned to their homes within three months," says General Vincent. This would have been 1,150 per hour for the entire period.

Disbandment did not mean simply dispersing 1,000,000 armed men and 250,000 salaried employes, but also reversing the entire momentum of the war, and turning into channels of private activity 1,288 ships and transports—700 of them ocean-going; 15,389 miles of telegraph lines; 2,630 miles of railway and its equipment; 204 general hospitals; 32 military prisons; 4,000 barracks and war structures; 237,000 hospital beds; 600,000 horses and mules; enormous streams of supplies; and the products of hundreds of factories running night and day on military contracts.

During the war 2,865,028 Union men were called into the service. Nearly three-quarters of a million fugitive blacks were wholly subsisted and about 2,000,000 other blacks aided, while wide sections of rebellious territory were successfully cultivated, protected, and governed.



GRAND REVIEW. WASHINGTON, D. C., MAY, 1865—HEAD OF SHERMAN'S ARMY.

In these transactions the quartermaster-general issued 23,000,000 bushels of corn, 78,000,000 bushels of oats, 93,000 bushels of barley, 1,520,000 tons of hay, and 1,600,000 tons of straw, and other articles in proportion. The salaried employes in his Department numbered 110,000, of whom 83,837—a large army—were discharged under Stanton's reduction order of April 28.

The operations of the other Departments were on the same grand scale. Indeed, the preparations of the winter of 1864-5 to crush the insurrection at one irresistible sweep—to wipe out the Confederacy—were stupendous. In his review of them Stanton reported to Congress that he had on hand material and munitions sufficient to last three years; wagons and machinery enough for the use of two millions of soldiers; a food supply that would last two months; and horses and other animals coming in at the rate of five hundred per day!

Thus the wonderful story of the war is not of its sieges and marches, its battle above the clouds, its fight from the tree tops of Port Hudson, the wild charge at Petersburg, or the frightful slaughter at Gettysburg, but the immeasurable executive and administrative capacity which furnished, equipped, fed, transported, and paid the armies—which knew and developed the resources of the nation according to the necessities of the hour!

The heart and soul of it all was Stanton, and his second report of 1865 is the most eloquent history of the Rebellion ever printed. It shows the transactions of his Department to have been prodigious; and in concluding he made this discriminating prophecy, which was fulfilled to the last measure by the Spanish war:

Henceforth there is no room to doubt the stability of the Union. No new rebellion can ever spring up that will not encounter a greater force for its reduction, and a foreign war would intensify the national feeling and thousands, once misled, would rejoice to atone for their error by rallying to the national flag. The majesty of the national power has been exhibited; and the foundations of the Federal Union have been made eternal.

He mentions with pride the success of his efforts to return the country almost in a day to a peace basis, a feat that astonished the world. European critics did not believe it could be done without rioting, bloodshed, and industrial revolution, and, at home, governors of States and many distinguished men requested him to provide troops to maintain order.

"He did not view these fears as well-founded, and made reply, in substance, that if the soldiers who subdued the Rebellion could not be trusted, the life of the Republic might as well be yielded," says General Vincent, and he sent ten thousand a day back to their respective communities without any effort to watch or restrain them, and there was no disorder, social or industrial.

CHAPTER LI.

FAITHFUL LIEUTENANTS.

The uniformly high grade of Stanton's personal appointments is as noteworthy as any feature of his administration. During the war the members of his staff never failed in probity or capacity, and, without exception, those who survived the contest became prominent and distinguished leaders in their chosen callings. Could there be a surer test of Stanton's foresight and ability?

While there is no known match for his physical and mental endurance and the unflagging force of his will, his lieutenants, constituting as effective and harmonious a staff as ever served a war minister, kept wonderfully well up to his pace and contributed materially to his success.*

Peter Hill Watson, assistant secretary, a native of Scotland who was banished from British soil for participating in the Canadian Rebellion of 1837—an abolitionist and an intense patriot—was second only to his chief in energy, capacity, and the spirit of self-sacrifice.

Charles A. Dana, at first confidential agent at the front and then assistant secretary, was confessedly the most brainy, far-seeing, and profound investigator and spy of the generation.

Edward D. Townsend, acting adjutant-general,† faithful and true to the last and a model Christian, possessed unlimited capacity for discharging routine duties with unerring hand and unruffled

*During the opening weeks of his administration he held daily meetings with his bureau chiefs, thus learning the actual conditions of the several divisions and getting up high pressure and synchronous action throughout the Department; but afterward, when he had measured their individual capacities, he advised with them separately, according to the matter in hand and trusted them implicitly to carry out details.

†General Lorenzo Thomas was technically adjutant-general, but in order to have available the remarkable qualities of General Townsend, Stanton always kept Thomas, whose condition was feeble, away from Washington on detached duties.

front. Everything military was at his tongue's end; he could almost rest and sleep while grinding at his tasks; he made no mistakes; he ran against no sharp corners.

Next to him—perhaps more learned in military laws and codes—and equally faithful, self-sacrificing, and reliable, of large constructive ability and unmixed devotion to duty and to Stanton, stood Thomas M. Vincent, assistant adjutant-general.

Not less true and efficient was Thomas T. Eckert (for years afterward president of the Western Union Telegraph Company) and Anson Stager, in charge of the Military Telegraph, the former especially being a model of those who question nothing, disclose nothing, discuss nothing, and perform everything.

William Whiting of Boston, solicitor* of the War Department, successfully stemmed that obstructive tide of trouble-makers, so much detested by Stanton, who rushed out with the mocking cry that the constitution was being violated every time the Government undertook a new step to save itself.

In certain respects General Montgomery C. Meigs, quartermaster-general, was Stanton's main support. His military learning was immense, his judgment rugged and sound, his energy never ending, and his methods practical.

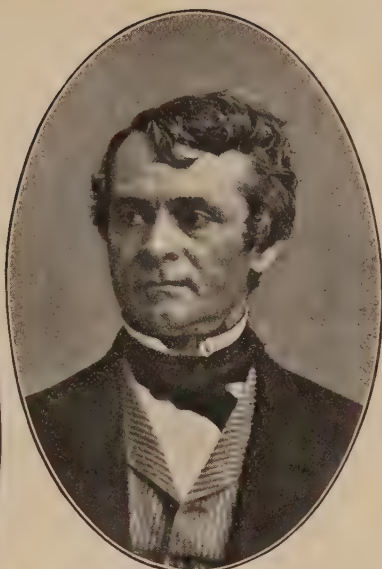
General James A. Hardie, assistant adjutant-general, occupied a delicate and important post. For some time, being a master of personal diplomacy and of many languages, he met and disposed of the great throngs who constantly besieged the War Office, deciding who might or ought to see Stanton, and where those were to go whose cases could be attended to by the heads of Departments. As everybody wanted to "see the Secretary," there was much clamor against his decisions, but they were never reversed by Stanton, from whose shoulders this shrewd, discreet, and tireless officer of wide education and polished manners lifted a destructive burden.

Others, like Surgeon-General J. K. Barnes, Colonel William P. Wood (superintendent of the Old Capitol and Carroll Prisons), General L. C. Baker (of the Secret Service), Colonel L. H. Pelouze

*In February, 1863, when Congress formally provided for a solicitor, Stanton proceeded to Steubenville, Ohio, and offered the position to Roderrick S. Moodey, a lawyer of great attainments, saying: "I have no faith in those Washington attorneys." Moodey was unable to accept and Whiting was selected and, although in such poor health that he resigned just previous to the close of the war, he made a world-wide reputation, of which his "War Powers Under the Constitution" is an evidence.



GOV. HORATIO SEYMOUR,
OF NEW YORK.



GOV. ANDREW G. CURTIN,
OF PENNSYLVANIA.



ERASTUS CORNING,
President N. Y. Central R. R.



PETER H. WATSON.
Stanton's life-long friend.

(assistant adjutant-general, a discreet, non-talking West Pointer of inexhaustible patience and tact), General Herman Haupt and Colonel D. C. McCallum (of the Military Railways), Major A. E. H. Johnson (in charge of telegrams, who never opened his mouth or permitted a document to leave his hands), as well as several others whose doings are mentioned elsewhere in these pages, gave constant strength to the heart and security to the soul of Stanton, and to the Government a service of far greater value than history has ever recognized.

"It gives me pleasure to bear witness to the general diligence, ability, and fidelity manifested by the chiefs of the several bureaus of this Department. Whatever success may have attended its administration is, in a great measure, due to them and their subordinates," said Stanton in one of his reports to Congress; and in his review of the great conflict, after its close, he paid this tribute to his faithful lieutenants: "To the chiefs of bureaus and subdivisions the thanks of this Department are due for their unwearied industry, vigilance, and fidelity in the discharge of their duties."

From one whose patriotism was a mania and whose devotion to duty was desperate and ceaseless, words like the above are significant. Those in whom he placed discretionary duties toiled like galley slaves, and some of them, like C. P. Wolcott (his brother-in-law) and Peter H. Watson, were literally crushed by the weight of their burdens.

"When Secretary Stanton gave orders to his trusted men to perform a given service, he expected them to succeed or die in the attempt,* and they acted accordingly," says Colonel William P. Wood—which tells the whole story.

*On October 31, 1862, Wood, supposing he was acting under independent instructions from Stanton, refused to obey orders from General Dix in relation to exchanges. Dix telegraphed to Stanton, who replied: "Wood should have been put in the guard-house. When you think a man deserves it, 'shoot him on the spot.'"

CHAPTER LII.

INAUGURATES RECONSTRUCTION—MILITARY GOVERNORS.

Upon every conqueror devolves the duty of providing for the territory acquired by his arms a form of government to succeed that which he has destroyed. In other words, he must reconstruct—a strange task at Stanton's time in the American Republic—yet he was fully equal to it. He closely followed his advancing armies with a military form of civil government in order to save the inhabitants from anarchy and prepare the rebellious States, at the close of the war, he hoped, to drop back into their former places in the Union without friction by a simple form of congressional enactment.

On March 3, 1862 (forty-five days after assuming the war portfolio), he appointed United States Senator Andrew Johnson military governor of Tennessee, having first attached him to the army as brigadier-general, so that the entire process should be strictly military, using the following words:

Sir:

You are hereby appointed to be military governor of the State of Tennessee, with authority to exercise and perform within the limits of that State, all and singular, the powers, duties, and functions pertaining to the office of military governor (including the power to establish all necessary offices and tribunals and suspend the writ of habeas corpus) during the pleasure of the President or until the loyal inhabitants of that State shall have organized a civil government in conformity with the constitution of the United States.

Similar appointments followed shortly in North Carolina, Louisiana, and other States where the Federal troops were in more or less control, supplemented in some instances by sequestration commissions to insure ownership to loyal, and formally confiscate the holdings of disloyal, persons.

Deriving their authority from the direct orders of Stanton, the military governors exercised extraordinary powers. They performed not only gubernatorial functions, but levied and collected

special taxes; put upon those who had engaged in rebellion against the United States distinct burdens for the support of the children and families of those who had enlisted in the Union armies; seized and devoted to the common defense the property of insurgents, including slaves; enrolled slaves of insurgent masters and set them to work upon fortifications or otherwise; furnished employment and compensation to loyal whites and abandoned blacks; subdivided and leased out the country formerly occupied by insurgents; erected houses and barns; constructed docks and railways; and generally materialized the most extreme form of benevolent despotism.

The operations of General B. F. Butler in New Orleans, under Governor Shepley, stand unique in character, magnitude, and success, while those of General Rufus Saxton as military governor on the Atlantic coast, are equally characteristic.

General Saxton describes his interesting experience under Stanton's instructions of June 16, 1862, and brings out some new and valuable facts:

On the islands stretching along the coast of South Carolina, Georgia, and eastern Florida were a very large number of negroes—slaves abandoned by their owners. The plantations were there and the labor was there, but the labor must be directed and controlled to be effective. Many even in the North believed that the negro would not work unless driven. To demonstrate the fact that industry and order could be made possible among lately freed slaves, was the task set for me by Mr. Stanton.

Truth demands that I say that I received very little collateral aid. Among military officers in command there was found scarcely any sympathy with a scheme having for its object a proof that slavery might be safely abolished. That it would lead eventually to the employment of negroes as soldiers, was exceedingly distasteful. Where there was no active hostility among army authorities there was an almost entire apathy. However, I was fully sustained by Mr. Stanton.

Under my direction came many thousands of freedmen. I caused cotton to be cultivated on all abandoned lands, producing a fund of more than a million dollars out of which all the expenses of the Department were paid; food crops were raised on thousands of acres; a surplus of fruit and vegetables was sold by the freedmen to the army, with markedly beneficial results to the troops; able-bodied colored men were employed as teamsters, wood-cutters, and laborers at low wages, thus relieving the troops in a hot climate, and two full regiments of colored soldiers, with white officers, were put in the field.

At the close of my administration in 1865 I turned over to the Freedmen's Bank over \$200,000, the savings of men who, in the winter of 1861-2, were simply abandoned or fugitive slaves.

The success of the experiment was highly gratifying to Mr. Stanton, its author, who visited me during the winter of 1865 to observe for himself

the condition of the freedmen of the sea islands and the colored soldiers he had been the chief instrument of calling into service. He was also deeply interested in the free labor question, believing that the fair fields of the South could be more advantageously cultivated by the free than by slave labor; and the fact that I had completely demonstrated this at Port Royal was as gratifying to him as had been his successful experiment of arming the blacks.

He was enthusiastic upon the subject, and when I asked him to allow me to accept the command of a division which General F. P. Blair had offered me in his army corps, he refused in a very positive manner, saying: "I have no man to put in your place. I would like to exchange places with you; I would rather have your work than my own."

I accompanied Mr. Stanton to Savannah, where he met General Sherman in his victorious march to the sea. There he approved the famous Special Field Order No. 15, dated at Savannah, January 16, 1865, which gave up all the lands on the sea islands, 800,000 acres in extent, to preemptions for homesteads solely for the negroes. No white man was allowed the privilege of this order, which became known as the "Forty-acre-and-a-Mule Proclamation."

From my conversation with him, however, I am confident that he had an entirely different program for the management of the freedmen. I heard the General say to the Secretary: "Mr. Stanton, leave the question of the freedmen in the territory conquered by my army to me. I have it all fixed up." Mr. Stanton turned to me saying: "General Sherman wants to have charge of the freedmen's interests. We must leave it to him."*

As I was named in the order as superintendent, I protested to General Sherman that I had not sufficient power to carry out his orders; was hampered by superiors in command and powerless to do anything that might interfere with their authority. My protests were not heeded and I was directed to carry out the order, which I at once proceeded to do to the best of my ability, encountering all the obstacles anticipated. After issuing his order General Sherman did not concern himself about its execution, and afterwards did not manifest the slightest interest in its fate. However, Mr. Stanton's powerful support greatly lessened the difficulties of the situation, and 40,000 freedmen were colonized on forty-acre tracts.

When President Johnson came into power, Mr. Stanton was unable to go further, and the new administration proceeded to undo all that had been accomplished. I was mustered out of the service and the lands were restored to their former owners.

*Order No. 15 was approved orally not formally by Stanton—that is, was not countermanded or forbidden by him. Stanton, on reading it, said to Sherman: "It seems to me, General, that this is contrary to law." Sherman's response was: "There is no law here except mine, Mr. Secretary." Stanton smiled and the order was issued a day or two after he left for the North. General Saxton says Stanton was opposed to the order, but acquiesced in its promulgation in deference to the positive wishes of General Sherman.



VAN CONTAINING JEFFERSON DAVIS AS A CAPTIVE.

Naturally the opening operations of these military governors were largely physical—clothing, feeding, and sheltering the people and tilling the soil of the conquered sections—saving life and land. Then followed efforts toward political organization—local self-government. Louisiana being first prepared, apparently, to reerect loyal State machinery, Stanton, on August 24, 1863, issued instructions to Governor G. F. Shepley to make a registry of loyal voters and such others as would take the oath of allegiance for the purpose of electing delegates to a convention to adopt a constitution and form “a government loyal to the United States and in conformity with the Federal constitution.”

Before the war closed Tennessee had constitutionally abolished slavery and established complete local self-government, with courts, congressmen, and United States senators duly elected—an extraordinary administrative feat, due almost entirely to Stanton’s wisdom and Andrew Johnson’s resolution—and active operations in that direction were in progress in other States.

Thus, Stanton’s military governors saved bloodshed, rescued plantations and mills, shortened the war, held disloyalty in check, insured safety to the persons and property of those who adhered to the Union, and trained, encouraged, and protected the blacks who, by the hundreds and thousands, were suddenly left without master, shelter, employment, or subsistence.

If Lincoln had lived, unquestionably these governors would have been continued (instead of the illegal “provisional governors” appointed by President Johnson and Secretary Seward) until Congress had provided for lawfully rehabilitating the rebellious States, thus avoiding the hideous crimes of 1866, 1867, and 1868.

CHAPTER LIII.

PARTING OF THE WAYS.

When Andrew Johnson resigned as military governor of Tennessee to become vice-president, he was the recipient, on March 3, 1865, of the following generous and well-deserved letter from Stanton:

This Department has accepted your resignation as brigadier-general and military governor of Tennessee. Permit me to render you the thanks of this Department for your patriotic and able services during the eventful period through which you have executed the high trusts committed to your charge.

In one of the darkest hours of the great struggle for national existence against rebellious foes, the Government called you from the Senate, from the comparatively safe and easy duties of civil life, to place you in front of the enemy and in a position of personal toil and danger perhaps more hazardous than was encountered by any other citizen or military officer of the United States.

With patriotic promptness you assumed the post and maintained it under circumstances of unparalleled trial until recent events have brought deliverance and safety to your State and to the integrity of that constitutional Union to which you so long and gallantly periled all that is dear to man on earth.

That you may be spared to enjoy the new honors and perform the high duties to which you have been called by the people of the United States is the sincere wish of one who, in every personal and official relation, has found you worthy of the confidence of the Government and the honor and esteem of your fellow citizens.

A few days later Johnson succeeded Lincoln as president, confronted with new and intricate problems, and many sad conditions. Throughout the South, except where straggling patches were tilled by ex-slaves under military tutelage,

No products did the barren fields afford,
Save man and steel—the soldier and his sword.

There were no mails, no post-offices, no commerce, no money, no industries—nothing but chaos in society, paralysis in industry, anarchy in politics, and poverty among the people.

A numerous faction in the North contended that the moment the insurgents surrendered or were captured, their hostile and illegal State governments became formal and legal, and the States themselves full parts of the Federal Union.

Stanton held that such a theory was absurd and that every insurgent organization, civil and military, was wiped out by the victory of the Federal arms and that the conquered sections possessed no rights not granted by the conqueror. Said he: "A public enemy cannot come into Congress and vote down the measures proposed for his subjugation or reconstruction.* The culprit cannot sit as a member of the jury in the trial of its own case."

The conflicting arguments of statesmen and jurists, mixed with fearful threats by the new President against the insurgent leaders, distracted the masses and rendered any decisive step hazardous. However, as very many had wrongly thought, with Lincoln, that sovereignty attached to the soil and not to the inhabitants, Stanton prepared a plan of reconstruction on the surrender of Lee which he handed to Lincoln in the morning of the day before the assassination. Concerning this plan and the attitude of Lincoln, Stanton testified under oath before a committee of Congress:

On the last day of Mr. Lincoln's life there was a cabinet meeting, at which General Grant and all the members of the cabinet except Mr. Seward were present. General Grant at the time made a report of the condition of the country as he conceived it to be on the surrender of Johnston's army, which was regarded as absolutely certain. The subject of reconstruction was talked of at considerable length. Shortly previous to that time I had myself, with a view of putting in a practical form the means of overcoming what seemed to be a difficulty in the mind of Mr. Lincoln as to the mode of reconstruction, prepared a rough draft form or mode by which the authority and laws of the United States should be reestablished and governments recognized in the rebel States under the Federal authority, without any necessity whatever for the intervention of rebel organizations or rebel aid.

In the course of that consultation Mr. Lincoln alluded to the paper, went into his room, brought it out, and asked me to read it, which I did, and explained my ideas in regard to it. There was one point which I had left open; that was as to who should constitute the electors in the respective States. That I supposed to be the only important point upon which a difference of opinion could arise—whether the blacks should have suffrage in the States, or whether it should be confined for purposes of reorganization to those who had exercised it under the former State laws. I left a

*On Stanton's advice, previous to counting the electoral votes of the States, Congress passed a resolution in February, 1865, deciding that the rebellious States were not entitled to vote for presidential electors.

blank upon that subject to be considered. There was at that time nothing adopted about it and no opinion expressed; it was only a *project*. I was requested by the other members of the cabinet, and by Mr. Lincoln, to have a copy printed for each member for subsequent consideration.

My object was simply to bring to the attention of the President and cabinet, in a practical form, what I thought might be a possible means of organization without rebel intervention. Mr. Lincoln seemed to be laboring under the impression that there must be some starting point in the reorganization, and that it could be only through the agency of the rebel organizations then existing, but which I did not deem to be at all necessary.

The plan of reconstruction mentioned in the foregoing testimony was adopted by Johnson when he became president, without change in word or punctuation, and issued on May 9, 1865, as an "Executive Order to reestablish the authority of the United States and execute the laws within the geographical limits known as the State of Virginia," as follows:

Ordered: First—That all acts and proceedings of the political, military, and civil organizations which have been in a state of insurrection and rebellion within the State of Virginia against the authority and laws of the United States, and of which Jefferson Davis, John Letcher, and William Smith were late the respective chiefs, are declared null and void. All persons who shall exercise, claim, pretend, or attempt to exercise any political, military, or civil power, authority, jurisdiction, or right, by, through, or under Jefferson Davis, late of the City of Richmond, and his confederates, or under John Letcher or William Smith and their confederates, or under any pretended political, military, or civil commission or authority issued by them or any of them since the 17th day of April, 1861, shall be deemed and taken as in rebellion against the United States, and shall be dealt with accordingly.

Second—That the Secretary of State proceed to put in force all laws of the United States, the administration whereof belongs to the Department of State, applicable to the geographical limits aforesaid.

Third—That the Secretary of the Treasury proceed without delay to nominate for appointment assessors of taxes and collectors of custom and internal revenue, and such other officers of the Treasury Department as are authorized by law, and shall put into execution the revenue laws of the United States within the geographical limits aforesaid. In making appointments the preference shall be given to qualified loyal persons residing within the districts where their respective duties are to be performed. But if suitable persons shall not be found resident of the districts, then persons residing in other States or districts shall be appointed.

Fourth—That the Postmaster-General shall proceed to establish post-offices and post routes, and put into execution the postal laws of the United States within the said State, giving the loyal residents the preference of appointment; but if suitable persons are not found, then to appoint agents, etc., from other States.

Fifth—That the District Judge of said district proceed to hold courts within said State in accordance with the provisions of the acts of Congress. The Attorney-General will instruct the proper officers to libel and bring to judgment, confiscation, and sale, property subject to confiscation, and enforce the administration of justice within said States, in all matters civil and criminal within the cognizance and jurisdiction of the Federal courts.

Sixth—That the Secretary of War assign such assistant provost marshal-generals and such provost marshals in each district of said State as may be deemed necessary.

Seventh—The Secretary of the Navy will take possession of all public property belonging to the Navy Department, within said geographical limits, and put in operation all acts of Congress in relation to naval affairs having application to said State.

Eighth—The Secretary of the Interior will also put in force the laws relating to the Department of the Interior.

Ninth—That to carry into effect the guarantee of the Federal constitution of a republican form of State government, and afford the advantage and security of domestic laws, as well as to complete the reestablishment of the authority of the laws of the United States, and the full and complete restoration of peace within the limits aforesaid, Francis H. Pierrepont, [then military] governor of the State of Virginia, will be aided by the Federal Government, so far as may be necessary, in the lawful measures which he may take for the extension and administration of the State government throughout the geographical limits of said State.

Before reconstruction could be taken up in other States, Secretary Seward had sufficiently recovered from the attempt upon his life to make his influence felt, supplemented immediately by that of Judge J. S. Black, Edgar Cowan, Montgomery Blair, Reverdy Johnson, and others of their belief who had allied themselves with the President.

Seward first struck section six from Stanton's original reconstruction order, so that the man who had conquered the insurrectionary country should have nothing to do with caring for or administering the fruits of his victory. Then section nine was eliminated and a series of "whereas's" prefixed to the document defining suffrage and citizenship and authorizing constitutional conventions, etc.,—all exclusive prerogatives of Congress.

Thus reconstructed, Stanton's reconstruction order was issued as a presidential proclamation in North Carolina. This, however, was not done before Stanton had distinctly warned Seward that if the President should declare the Rebellion ended and withdraw and terminate the military governments established by the War Department, thus impairing if not resigning his powers as commander-in-

chief, he would become an usurper in attempting to appoint, create, or select governors or other civil officers in the South without antecedent action by Congress.

Seward thereupon sent letters to all the so-called governors who had been appointed by Johnson to succeed the military governors, informing them that their appointments must be considered "provisional only until the civil authorities shall be restored with the authority of Congress"—curious advice in view of the fact that the appointments themselves were illegal, whether for long or short periods, "provisional" or otherwise.

Here begins the parting of the ways between Stanton and Johnson.

CHAPTER LIV.

TURMOIL—RESCUING GRANT.

Six of these "provisional" governors were appointed within six weeks and others followed in due time. Under them elections were held which resulted in filling the local offices and legislatures with men hostile to the Federal authority;* electing as representatives and senators those only who had lately been in rebellion; promulgating State constitutions without submitting them to the people; and enacting oppressive laws against the blacks.

In South Carolina "Governor" Perry suspended everything that had been accomplished and reinstated the laws in existence prior to secession, forcing the military commanders of that Department to send protests to Stanton against that manner of reversing the results of the war.

Once more the North became aroused and thunders of indignation rolled against the White House. General Carl Schurz was sent to investigate and report upon conditions and sentiments in the South. The result did not suit President Johnson, who requested Grant to make a counter report.

Grant, with Stanton's formal approval, left his office on November 27, 1865, but was back in Washington in eight or ten days. He saw but few persons and gathered no testimony. His report comprised two printed pages. He reported no facts, but, as Badeau says (p. 33) reported according to "the expectations of the President."

Schurz's report was elaborate, containing one hundred and five printed pages. It was reinforced by official documents and formal statements from nearly all of the military officers (many of them men of distinction) in the insurrectionary sections. Therefore Stan-

*Only Confederates were chosen. When, as was generally the case, men were elected who could not take the prescribed oath, their names were forwarded to Johnson who promptly issued pardons to them, thus making them his active partisans.

ton thought a contrary statement by Grant, unsupported by facts, would prove to be injudicious and probably disastrous, but Johnson ordered otherwise, and, against Stanton's advice, Grant's so-called report (termed "whitewash" by Senator Charles Sumner) was sent by the President to Congress with and as an antidote to that of Schurz, who thus concluded:

(1) The loyalty of the masses and of most of the leaders of the Southern people consists in submission to necessity. (2) Slavery in the old form cannot be kept up. (3) The ordinances abolishing slavery, passed by the conventions under the pressure of circumstances, will not be looked upon as barring the establishment of a new form of servitude and (4) will result in bloody collision and will certainly plunge Southern society into restless fluctuations and anarchial confusion.

Congress, spurning Grant's and accepting Schurz's conclusions, declared without debate against admitting the members and senators elected under Johnson's "provisional" governments; also against the proposition of the rebellious States to reenact their former slave constitutions, and that the insurgent leaders, by their acts of war, had become tainted with treason and could not participate in public affairs, even as voters upon Federal matters, until they had been purged.

Johnson was furious, denouncing and defying Congress as an "usurper" and "dictator." The situation was critical. The President and all of his cabinet (save Stanton) and apparently the head of the armies (Grant)* were arrayed on one side, while Stanton and a majority of Congress were arrayed on the other to maintain the Union and a rational form of reconstruction.

On February 19, 1866, the President vetoed the Freedmen's Bureau Bill, which Stanton had championed, for the alleged reason that the insurrectionary States had no representatives in the Congress which enacted the law. On the following day Representative Thaddeus Stevens presented a resolution declaring that the representatives of no rebellious States should be received in Congress until that body had decided that such States were entitled to representation, and it passed both Houses.

*"General Grant was a Democrat and thought and acted in harmony with President Johnson in politics and reconstruction for a time after the close of the war," says Major A. E. H. Johnson, confidential clerk to both Stanton and Grant.

On April 2, 1866, hoping to submerge the law-making power, Johnson issued a proclamation declaring the Rebellion closed and the insurrectionary States back in the Union as before, with all the rights, powers, and privileges of the loyal States.

"If President Johnson can put flesh on the bones and blood in the veins of three hundred thousand men and return them to their families, he can make this nation think he is right; if not, he never can," said Stanton to Philetus Sawyer of Wisconsin. "A year ago we had a million fighting men in the field and the same sentiment and influence that sent them there will return them again, before the people will see the political power of this nation placed in the hands of the rebellious States by Andrew Johnson or any other man."

On May 22, 1866, the President and his cabinet were serenaded, according to a plan conceived by Alex. W. Randall of Wisconsin, who was subsequently rewarded with the appointment of postmaster-general. The device was intended to trap certain members of the cabinet, all of whom were invited to speak.

Stanton prepared in writing a moderate but adroit speech, which was intended mainly for Congress. After stating his differences with Johnson and his adherence to a rational and permanent form of reconstruction, he said he had advised the President to sign the Civil Rights, Freedmen's Bureau, and Reconstruction bills, which were vetoed, and concluded with emphasis, that he was opposed to the third section of a pending amendment of the constitution proposing to "exclude all States lately in rebellion from representation in Congress till July 4, 1870." He declared that for Congress to tie its hands more than four years in advance was unwise and dangerous, as circumstances might so change in the meantime as to make the readmission of the seceded States proper and wholesome.

Six days later the Senate unanimously struck out the section Stanton thus objected to, although it had passed the House by a large majority. His influence with Congress was yet omnipotent, as it had been for years, for he had made no mistakes in his advice to that body or to the President.

Shortly after this, by a law of Congress, Grant was elevated to the grand position of general. Why? He was gaining no victories; he was leading no armies; the war was over; only twenty-five thousand of the million soldiers under his command a little over a year before were left on the rolls; there was no preparation for another war.

President Johnson, now fully entered upon his great fight against Congress and the loyal masses, was toadying to Grant in the hope of permanently retaining him as a powerful helpmeet, leading the public to believe, with regret and grief, that the General endorsed the President's policy. Congress, therefore, would have been far more likely, if left to itself, to curtail than add to Grant's glories and power.

The proposed promotion was hung up a long time in committee. Stanton, seeing Grant drifting farther and farther from the people, farther and farther from the record and the fruits of his own great achievements, and hoping to rescue him from being completely Johnsonized, went to the committee and gave reasons which, though entirely political, were nevertheless accepted as sufficient for the passage of the bill; and it was passed. The President signed it because he believed that he had Grant safely appropriated to his own uses and purposes, and that this magnificent elevation of a distinguished ally would add to his own strength in the battle that was now on with Congress and the loyal people. But Stanton, relying on Grant's abundant store of common sense and the ultimate effect of the influence of the Union masses who had idolized him, did not think so. He felt that Grant, who was a child in politics, would sooner or later discover the real trend of affairs and attach himself in peace to the people for whom he had fought in war, and whose representatives had bestowed upon him this great additional honor. Therefore he gave not only his official but his close personal attention to this promotion, and was careful to make Grant acquainted with the fact, as this private note, by his own hand, delivered by a special messenger on July 25, 1866, will show:

General:

The President has signed the bill reviving the grade of general. I have made out and laid your commission before him and it will be sent to the Senate this morning.

Although Grant continued his intimacy at the White House, he did so, after September, 1866, under strong mental protest and only after persistent dragooning—a fact, however, which the people have not been permitted to know to this day.

CHAPTER LV.

"SWINGING AROUND THE CIRCLE"—GREAT LETTER TO ASHLEY.

The autumn of 1866 was especially full of contention and chaos. Johnson arranged a series of so-called national conventions (one called for Philadelphia on August 14, and the other for Cleveland on September 17) for the purpose of influencing pending congressional elections in favor of "my policy."

To offset the Philadelphia convention Stanton suggested that an imposing assembly called "Loyalists of the South" be held in the same city on September 3. It was a very large gathering and drew as participants or spectators the most distinguished men of the nation, the Southerners having requested delegates from the North to meet and confer with them. The general mass-meeting on the third day was the largest ever seen in Philadelphia.

In order to neutralize the effect of the convention at Cleveland, a vast gathering of soldiers and sailors opposed to Johnson and upholding Stanton and Congress, met in Pittsburg on the 25th of September. Every State in the Union was represented. John A. Logan presided and nearly all the great generals were present on the stage.

Four days prior to this gathering Stanton felt called upon to send the following letter:

Washington City, September 21, 1866.

Dear Sir:

I have heard it intimated that some of the delegates to the Pittsburg convention contemplate offering a complimentary resolution in favor of myself, and asking me to retain my position in the War Department. General Irwin of Philadelphia and General Brisbane of Ohio have been mentioned as having that disposition.

It must be obvious to you, as it is to me, that any personal allusion favorable to me would be prejudicial to any good influence I may be able to exert. I desire no endorsement, and personal compliments are matters for which I have no taste. *I wish you would therefore see that nothing of that kind is done in respect to myself.*

Yours truly,

The Honorable J. K. Moorhead.

Edwin M. Stanton.

In the meantime Johnson (accompanied by General Grant, Postmaster-General Alex. W. Randall, Colonel W. G. Moore, General J. K. Barnes, Admiral David Farragut, Secretary Seward, and others) undertook his notorious "swing around the circle." Grant's presence in the procession was arranged in the hope that it would influence soldiers to support such candidates for Congress as were known to favor the "Johnson policy" of reconstruction.

The President harangued the disrespectful crowds that came out to see him along the line of the journey to St. Louis, in a manner unparalleled in American history. A feature of the performance at Cleveland brought out a letter from Congressman J. M. Ashley of Toledo, to which Stanton made a remarkable reply, as follows:

Washington City, September 14, 1866.

My Dear Sir:

I beg to acknowledge yours of the 6th instant. Having made several cautious inquiries, I am forced with regret to say that I believe I can do nothing to make secure the appointment of your friend. These reconnaissances in his behalf prevented an earlier reply.

There is, indeed, "danger ahead," the most serious being that Johnson and Grant, as you put it, "suck through the same quill." The President has for more than a year put forth persistent efforts to capture Grant for purposes that are unmistakable.* He has in a measure succeeded, but I firmly believe that the head of the armies cannot ultimately be corrupted. In fact, I may say I know it. Yet Grant goes daily, almost hourly, to the White House, in full view of the populace, and at this moment is gyrating through the country on a deplorable joust with Mr. Johnson. These things, with the exposure and revulsion that are sure to follow, will corrupt public sentiment and confuse national leadership, if not taint the General himself.

To taint an individual, even one so lofty as Grant, is nothing; but to corrupt the foundation masses of public sentiment is destructive. You say with "surprise and humiliation" that Grant could not appear at Cleveland; that Johnson was in such a condition that it would have been better if he had gone into seclusion and that the "current performances of our Executive are so scandalous that means should be sought to end them."

Our common masses are temperate and God-fearing. To them such performances are indeed scandalous; but here in Washington, as you know, it is wholly different. Here the populace—we have no people—worship power. Johnson represents power, and the public eye—the ever-hungering public eye—regards it as dangerous to look too closely into the private conduct of those who happen at a given moment to be on the throne. But

*Says Charles A. Dana: "Grant's elevation to the presidency was foreseen by Mr. Stanton long before it was generally anticipated by the country. Even in 1865 he said to me: 'Andy Johnson is manœuvring for the White House but Grant will beat him,'"



PRESIDENT ANDREW JOHNSON.

when the great concourse of virtuous people behold the head of our nation reeling through the country as set forth daily in the public prints and as described in your letter, I know disrespect and demoralization must follow.

As your letter seems to be somewhat of an appeal to me, I must reply that my hand is not on the tiller; and, if it were, the exhibition now going on would do more to bring the General to his senses than anything I could possibly do.

You ask, "What are we coming to—what is in store for us?" No man can say. I have forebodings; perils appear in my visions.

These new and augmenting dangers increase my longings to be free—to return to my family, friends, and profession; to rest; to have peace. But is it so to be? When General Grant telegraphed that Lee would surrender in a few days, I went to Mr. Lincoln, like a bird set free, and told him that my work was done—the task set for me when I accepted the office finished—and handed over my resignation.

Putting his hands on my shoulders, tears filling his eyes, he said: "Stanton, you cannot go. Reconstruction is more difficult and dangerous than construction or destruction. You have been our main reliance; you must help us through the final act. The bag is filled. It must be tied, and tied securely. Some knots slip; yours do not. You understand the situation better than anybody else, and it is my wish and the country's that you remain."

I instantly begged the President to understand that I had not proposed to leave him with any trouble or tasks in my domain unprovided for; that I had made an outline of a plan of reconstruction (which he then received) with briefs more or less elaborate, explaining the varying circumstances to be considered in carrying out the reconstruction acts (which Congress must provide) in each of the several States and localities; that I had prepared detailed instructions to guide the quartermaster-general in turning over to their rightful owners, tentatively or fully, the railways, locomotives, rolling stock, and other property seized or acquired during the military operations of the United States; and also made memoranda in reference to establishing national post-offices, postal facilities, Federal courts, and revenue service; and preparing generally to reopen commerce and social intercourse between the sections on a proper and enduring basis.

Mr. Lincoln was never a good projector and frequently not a good manager; but his intuition was wonderful. He was one of the best of men to have by the side of a projector or manager. He steadily opposed arming and freeing slaves, for reasons that will probably never be written, for nearly a year and a half; but usually his mind was as free from bias as any I ever knew, and it was a genuine pleasure to consult him on new matters.

As I began to relate the preparations I had made for conducting the Department after my resignation, a curious and interesting expression of his face disclosed that he had discovered a summary reply to my argument. The moment I had finished he put his hand on my shoulder again and observed triumphantly: "Stanton, you give the very reason why you should not resign. You admit that you have looked into the future, foreseen troubles there, and tried to prepare in advance for my relief and the benefit of the nation. Your recitation sustains me exactly. You must stay,"

I had hardly returned to my desk, for, of course, an appeal like that could not be overridden, when Mr. Lincoln was murdered.

When the resulting confusion had somewhat subsided, the members of the cabinet (except Mr. Seward) informally tendered their resignations to take effect at the convenience of the new president. Perhaps I was first to make the suggestion. He replied: "No, you must keep the machinery moving. We must retain the chief engineer, by all means. I hope you will not think of resigning."*

There you have the situation: When I thought it safe to resign I could not, and now that I can resign, I dare not.

However, as soon as the way shall be clear, which I hope will be soon after the meeting of Congress, I shall retire. Congress can so tie the hands of Johnson and Seward that they will not be able to wreck the country and throw us into another revolution, although they have gone so far already that no statutes can prevent their acts from bringing on a reign of chaos and bloodshed in the South that will horrify the civilized world.

My physical condition is deplorable. Prostrated by spasms of asthma and tortured by unbearable pains in my head, it is a problem how much longer I can keep up.

Come on early, I beg you, for Congress has a heavy task before it. Hoping to see you soon, and that your friend may receive his appointment, I am,

Truly your friend,

The Honorable J. M. Ashley.

Edwin M. Stanton.

The prophecies of the foregoing communication are noteworthy. The one declaring that the Johnson-Seward policy would "bring on a reign of chaos and bloodshed in the South that would horrify the civilized world," was verified by the operations of the Pale Faces, White Camelias, Tailhold Clubs, White Leagues, Kuklux Klans, and similar organizations that immediately sprang up amidst the young, restless, and less reputable classes in that section.

General P. H. Sheridan reported to Congress that "the number of persons killed and wounded in this State [Louisiana] since 1866, on account of their political opinions, is as follows: Killed, 2,141; wounded, 2,115; total, 4,256." Similar reports came from the commanders of other military districts in the South—a frightful fulfillment of Stanton's prophetic letter.

*Charles A. Dana says: "Vice-President Johnson took the oath of office as president and his first act, most becomingly performed, was to thank the Secretary of War for all that he had accomplished and ask him, while they held each other by the hand, to stand by him as he had stood by Mr. Lincoln. Mr. Stanton promised and kept his word as long as Mr. Johnson upheld Lincoln's principles."

His measure of Grant was also correct. The storm of indignant protest against Johnson which shook the North to its center finally opened Grant's eyes. He turned back in disgust before completing the "swing around the circle," and, slightly more than a year after making his perfunctory statement of conditions in the South in opposition to the fortified reports of Carl Schurz and the military officers of that section, ordered General Howard of the Freedmen's Bureau to give him a list of the murders and outrages of freedmen, Northern, or other Union men and refugees in the Southern States for the last six months or a year, as he "wished to make a report showing that the courts in those States afforded no security to life or property of the classes referred to, and wished to recommend that martial law be declared over such districts as do not afford the proper protection."

That Stanton was sincere in his expressed desire, whenever the country should be at peace, to retire to private life (at least to get out of the cabinet, in which he was without support) is confirmed by a note, written a few days after the date of the Ashley letter, to Peter H. Watson, his long-trusted friend, which was delivered at Ashtabula, Ohio, by a special messenger in the person of Major Albert E. H. Johnson:

Washington City, October 19, 1866.

My Dear Friend:

I have thought it would do you good to see either Albert [E. H. Johnson] or myself, and as I cannot leave here I have sent him to you to make a visit. It grieves me very much to hear of your continued ill health, and the more especially as I know you will not take the rest needed for your recovery.

The last Congress directed me to appoint some one to prepare the official reports, etc., for a history of the war.* There are many applications,

*In August, 1865, Stanton created a bureau for collecting, indexing, and preserving Confederate archives and appointed the learned Francis Lieber to have charge of the work, paying him from the provost-marshal fund. In December following Congress resolved that no one in the Federal service could receive compensation except from money previously appropriated and called upon Stanton for information. He replied: "The reason for the appointment was the necessity of having the archives collated by a publicist of known character and reputation, in order that they might be available to the Government without delay. It was the expectation that if this appointment should be considered unauthorized by any existing law, its obvious necessity would be sanctioned by Congress." Thereupon Congress enacted the law mentioned in the letter of October 19, under which Watson was appointed, but did not serve, and thus was the foundation for publishing the Records of the Rebellion laid.

but none that suits me. If your health is sufficient, you would, with my aid, do the work better than any one else; and as I do not mean to be here much longer, I could help you. What do you think of it? Or rather, I do not want you to think at all; but it occurred to me that if we were to work together a while on something that required little labor and occasioned no anxiety, it might be useful to both, having an adequate clerical force to take off the drudgery. But I do not know enough of your condition to judge whether it would hurt or do you good. Mrs. Watson is the better judge—suppose you talk with her about the matter.

I hope she and the children are well. Mrs Stanton and our children are now at Pittsburg. Her health is in a very precarious condition—so much so as to excite great anxiety lest she should go into rapid consumption.

Public affairs are very gloomy; more so, and with more reason than ever before—not excepting the dark hours of 1860-1.

I beg you to give my kindest regards to Mrs. Watson.

With unabated affection, I am, as ever,

Yours truly,

The Honorable P. H. Watson.

Edwin M. Stanton.

CHAPTER LVI.

VICTORIOUS OVER JOHNSON AND HIS ADVISERS.

The fruits of Andrew Johnson's "swing around the circle" were decidedly contrary to his expectations. The November (1866) congressional elections went overwhelmingly against him, so that the Congress-elect had a safe majority to reinforce Stanton with necessary legislation, the President's veto notwithstanding. No veto was withheld, however.

Bills admitting Colorado and Nebraska; granting universal suffrage in the District of Columbia; preventing the President from removing certain officers (especially Stanton) and appointing successors without the "advice and consent of the Senate"—called the tenure-of-office law—and a measure dividing the rebellious States into military districts and providing for their government, were enacted, vetoed, and promptly passed over the vetoes in February and March, 1867.

More than a year prior Stanton saw the mad-bull spirit developing in President Johnson and informed senators and representatives that probably he would soon be forced to leave the War Department. This statement led to the enactment of the tenure-of-office law. "He did not suggest it or know of it previous to its appearance in Congress," says Major A. E. H. Johnson. "It was brought forward for him alone. No other officer of the Government was thought of or cared for. Congress felt compelled in sheer self-defense to throw its power around him, and did so. In cabinet Mr. Stanton opposed the bill and all the members disclaimed protection under it, Mr. Welles going so far as to state that the member for whom it was framed was not worthy to be the adviser of the President."

History, however, shows that he was worthy to save the nation from another war.

The President knew the object of the law but dared not dismiss Stanton even while it was pending. He expected to force him out without resorting to formal terms of dismissal,

Under the reconstruction act, which subdivided the South into military districts, General J. M. Schofield was placed in command of the First District—Virginia; General D. E. Sickles of the Second—North and South Carolina; General John Pope of the Third—Georgia, Florida, and Alabama; General E. O. C. Ord of the Fourth—Arkansas and Mississippi; General P. H. Sheridan of the Fifth—Louisiana and Texas.

Their duties were to protect persons and property and punish criminals regardless of color or previous condition. The law declared, however, that as soon as proper constitutions and State governments had been formed, forever abolishing slavery and granting equal rights of suffrage, military control of such States should cease and they should be returned to the Union. The tact and courage of these military governors were severely tested. The conditions under which they wrought were so variant and perplexing that several of them asked for instructions from Washington as to how to enforce certain clauses of the reconstruction acts.

The task of formulating such instructions gave Stanton an opportunity to place Johnson and his cabinet on record. It is not known that he ever made formal notes of cabinet proceedings in more than three instances; *viz.*, when discussing the evacuation of Fort Sumter in Buchanan's cabinet; when vehemently urging the emancipation of slaves in Lincoln's cabinet; and when debating the question of whether the military governors of the lately seceded States were to obey the laws of Congress or obey the whims of the President.

Cabinet had met pursuant to agreement to approve and issue the instructions asked for by the military governors. Instead of proceeding to do so, Johnson presented what Stanton called an extraordinary "string of questions" prepared for him by Attorney-General Stanbery, on which categorical answers were demanded. Stanton suggested that copies of the questions be furnished to each secretary and time given for consideration and answer. This was denied and what followed is thus described in writing by Stanton himself in a memorandum marked "B" and dated "Noon, June 19, 1867":

In Cabinet: The special interrogatories hereinafter mentioned being presented by the President to the cabinet for their consideration, the Secretary of War read to the President and the cabinet the following statement of his views:

In respect to the interpretation of what are called the reconstruction acts of Congress, I am of opinion:

1. That by the act to provide for more efficient government of the rebel States and its supplement, Congress designed to establish a military government in the ten rebel States paramount to all other government whatsoever, and made those States "subject" to military authority.

2. That to the commanding general assigned in each district is given command over all persons, private or official, in his respective district; that command to be sustained by military force adequate to enable the commander to perform his duties under the act.

3. That the duties of the military commanders are: To protect all persons in their rights of person and property; to suppress all insurrection, disorder, or violence; to punish all disturbers of the public peace and criminals, and to this end (*viz.*, a punishment) they may allow local tribunals to try offenders, and may organize military commissions. It is also their duty under the supplemental act to cause a registration to be made and election to be held as prescribed by Congress.

4. That, as the power thus invested in the military commanders embraces the exercise of absolute military "command" in their respective districts, it therefore comprehends the removal from office of any person who may hinder, obstruct, or oppose the execution of the specific acts of Congress, or occasion disorder in the command, and also the appointment of any officer whose functions are necessary to afford protection to persons and property, or to suppress insurrection, disorder, and violence within the command. And hence the military commanders may, by virtue of the acts of Congress, remove from office any provisional governor, judge, or public officer or agent, and substitute others whenever, in the exercise of reasonable discretion, he deems such acts needful for carrying into effect the provisions of the act of Congress.

5. That the powers before mentioned are invested by the acts of Congress immediately and directly in the commanding generals assigned to the several districts, and cannot be exercised by the President in person any more than he can take upon himself in his own person any other duty of military service vested in a *specific officer* by law; as for example the duties of the quartermaster-general, commissary-general, surgeon-general, chief of engineers, or chief of ordnance.

6. As commander-in-chief, and under his authority to see the laws faithfully executed, the President may remove the commander of a district for any wilful neglect or wanton abuse of authority; but such removal should be for good cause.

7. That the power of removal being vested in the general commanding the district, the President cannot order the reinstatement of any officer removed by the commanding general, unless it appear that such removal was wanton abuse of authority by the commanding general.

The special interrogatories presented by the President were then read by the Attorney-General and answered as follows:

Q. 1. Is the power vested in the President to see that the reconstruction acts are faithfully executed?

All except the Secretary of War answered in the affirmative. He answered as follows:

Under the limitations and qualifications expressed in my general view of the acts of Congress under consideration just read to the President and cabinet, and which is made a part of my answer, I answer in the affirmative.

Q. 2. Has the President a supervision over the military commanders, and are they bound to perform their duties in conformity with his instructions?

All except the Secretary of War answered in the affirmative, and that the President has the same supervision and right of instruction as he has of any other acts of Congress. The Secretary of War answered as follows:

The President has as commander-in-chief a supervision over the military commanders to see that there is no wilful neglect or wanton abuse of authority by the generals commanding. But in my opinion the duties assigned to the military commanders in the act to provide for the more efficient government of the rebel States and its supplement are specifically intrusted to them, and they are not bound to perform these duties in conformity to his (the President's) instructions unless they are in accordance with the acts of Congress.

Q. 3. If any one of the military commanders assumes and exercises powers not conferred by these acts, or any other acts of Congress, and the error is injurious to the execution of these laws or the public welfare, is it the duty of the President (if he deem it proper and expedient) to cause the error to be corrected?

All answered in the affirmative except the Secretary of War, who answered as follows:

I answer that if the supposed wrongful act of the commanding general be a wilful neglect of duty or a wanton abuse of authority that would obstruct or prevent the execution of the acts of Congress under consideration, it would in my opinion be the duty of the President to correct it.

Q. 4. Is an unlimited power conferred on the military commanders to abolish, modify, control, or supersede the laws of the State?

All answered in the negative, that Congress had not conferred such unlimited power, except the Secretary of War, who answered as follows:

I answer that Congress in the preamble of the act to provide for the more efficient government of the rebel States has declared among other things, that no legal State governments exist in said States, and has made them subject to military authority, and given command in each district to the military commander assigned by the President, and has also provided that any civil government which may exist therein shall be deemed to be provisional only; I am therefore of the opinion that the military authority is *paramount*, and if the general commanding shall find any State law obstructing, impeding, or inconsistent with the due execution of the acts of Congress under consideration, he has unlimited power to abolish, modify, control, or supersede the State law.

Q. 5. Has a military commander the power to order the established courts of the States or of the United States exercising criminal jurisdiction, to sentence a criminal to a different mode or degree of punishment than is provided by the law of the State or by the Federal law?

All answered in the negative except the Secretary of War, who answered as follows:

I answer that I have no knowledge of any interference or authority having been assumed by any district commander over the action of the Federal courts; nor have I knowledge of any such cause in respect to a State court, as is assumed by the question. But inasmuch as the State is subject to military authority, I am of opinion that a district commander may prohibit the execution of corporal punishment by the sentence of a State court. I am not aware of any case in which he has authority to command a judge to impose any particular sentence, although he may remove the judge for good cause.

The foregoing questions were planned to unite the cabinet formally in favor of using the so-called "State governments" in the South to annul and overturn the acts of Congress—to reestablish State sovereignty where the victory of the Union army had so recently demolished it.

Stanton's opposition in writing, notwithstanding the unanimous support of the President's covert scheme by the other members of the cabinet, prevented that course from being taken. They felt the overwhelming force of his reasoning and dared not go against it as intended. The instructions prepared by Stanton were reluctantly issued.

There is on record no more conspicuous instance of one resolute patriot thwarting, off-hand, the plans of the President and his entire administration. All of Stanton's contentions have been amply confirmed by time, Congresses, and courts; those of Johnson and his cabinet have been condemned and rejected as unlawful by the same great tribunals—yet how unspeakably unpleasant was the patriot's task, and how miserable his compensation!

CHAPTER LVII.

A PATRIOTIC CONSPIRACY — GRANT.

The exasperated President was now narrowed down to the alternative of subsiding or attempting to seize the army and use it to subvert the will of Congress and nullify the reconstruction acts of March 2 and March 25, 1867. His nature was such that he could not subside, and, as Stanton stood resolutely athwart his path, he was unable to gain practical control of the army.

Stanton knew that the military criminals of the war period were being pardoned and appointed to office by scores; that Johnson had asked to be supplied with a secret telegraph cipher code of his own; that female pardon-brokers were obtaining pardons by the thousands for influential secessionists at prices varying from twenty-five dollars to six thousand, five hundred dollars each; that the President was acting under the direct guidance of Jeremiah S. Black, Reverdy Johnson, Montgomery Blair, Edgar Cowan, and others who pretended to hold that reconstruction and military occupancy were unconstitutional; that former leaders of the Rebellion were confidential advisers at the White House; and that all executive effort was directed entirely toward reversing the fruits of the war in spite of laws, courts, and Congress. He therefore felt convinced that to leave his post at such a moment, no matter how distasteful the task of remaining, would betray the loyal masses of the nation and encourage the operations of those who were obstructing and defying the Federal authorities.

Seeing that Stanton would not resign, and that, sustained by Congress, he could effectually control the situation so long as he was able to hold possession of the War Office, Johnson, on August 5, 1867, in sheer desperation, sent a note to the Secretary, declaring: "Public considerations of a high character constrain me to say that your resignation will be accepted." Within five minutes Stanton replied by messenger:

Sir:

Your note of this day has been received stating that public considerations of a high character constrain you to say that my resignation will be accepted.

In reply I have the honor to say that public considerations of a high character, which alone have induced me to continue at the head of this Department, constrain me not to resign the office of secretary of war before the next meeting of Congress.

On the 12th Johnson sent a letter of suspension to Stanton and appointed Grant secretary of war *ad interim*. Before he could reply to the letter of suspension, Stanton received a note from Grant, after which he sent the following to the President:

Sir:

Your note has been received informing me that by virtue of the powers and authority invested in you as president by the constitution and laws of the United States, I am suspended from office as secretary of war, and will cease to exercise any and all functions pertaining to the same; and also directing me to at once transfer to General Ulysses S. Grant, who has this day been authorized and empowered to act as secretary of war *ad interim*, all records, books, papers, and other public property now in my custody and charge.

Under my sense of public duty I am compelled to deny your right, under the constitution and laws of the United States, without the advice and consent of the Senate and without legal cause, to suspend me from the office of secretary of war, or the exercise of any and all functions, or to transfer to any person the records, books, papers, and public property in my custody as secretary.

But, inasmuch as the general commanding the armies of the United States has been appointed *ad interim*, and has notified me that he has accepted the appointment, I have no alternative but to submit to superior force.

Of course Stanton was not compelled "to submit to superior force," except theoretically. When Johnson first proposed to make him secretary of war *ad interim*, Grant went direct from the White House to Stanton and disclosed the executive program, explaining that if he should conclude to accept, it would be for no purpose whatever beyond that of preventing the War Department from falling into the hands of one of Johnson's tools who would use it for the subversion of Congress.

At first Grant opposed the removal of Stanton, arguing against it before the entire cabinet—a fact, however, that was unknown to the Secretary. He advised the President and the cabinet repeat-

edly that the loyal portion of the country would not submit to such an ill-advised manœuvre. He also thrice protested in writing, his letter of August 1, 1867, to the President, being as follows:

I take the liberty of addressing you privately on the subject of the conversation we had this morning, feeling as I do the great danger to the welfare of the country should you carry out the designs then expressed.

First, on the displacement of the Secretary of War: His removal cannot be effected against his will without the consent of the Senate. It is but a short time since the United States Senate was in session, and why not then have asked his removal, if it was so desired?

It certainly was the intention of the legislative branch of the Government to place cabinet ministers beyond the power of executive removal; and it is pretty well understood that as far as cabinet ministers are affected by the tenure-of-office bill, it was intended specially to protect the Secretary of War, whom the country felt much confidence in.

The meaning may be explained by an astute lawyer [J. S. Plack] but common sense and the views of the people will give it the effect intended by its framers.

In conclusion, allow me to say as a friend desiring peace and quiet—the welfare of the whole country North and South—that it is, in my opinion, more than the loyal people of this country (I mean those who supported the Government during the great Rebellion) will quietly submit to, to see the man of all others whom they have expressed confidence in, removed.

Notwithstanding this protest, Grant accepted. In fact, when the notice of his appointment was handed to him by Colonel W. G. Moore, Johnson's secretary, he said: "This is an order [it was in reality not an "order" but only an appointment] from the President; I do not see how I can disobey."

However, before the appointment was made and delivered as stated, Grant met the President with his cabinet and agreed, or in some way gave them to understand (five of them, in addition to Johnson himself, so stating in writing) that he would keep Stanton out of the War Department in case the Senate should refuse to confirm his own appointment as secretary *ad interim*, and thus compel the deposed Secretary either to submit or to resort to the courts for reinstatement.

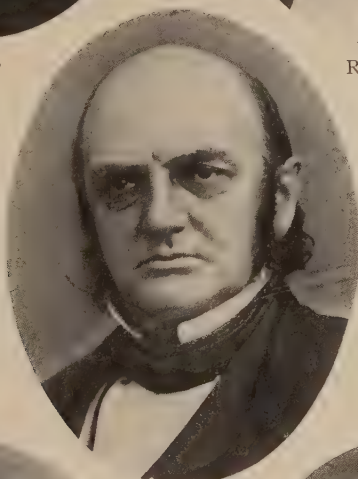
Stanton was silent and manifestly displeased when Grant informed him that if he should accept it would be simply to tie the President's hands so he could not get possession of the War Office. He did not want Grant to accept. He was fearful of the outcome. He knew that Grant could not take his own place before and had no influence with Congress, and he could not see how anything was



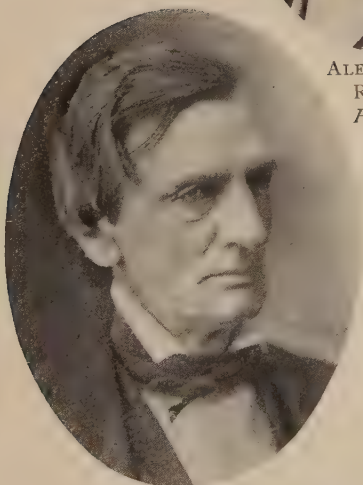
HENRY STANBERY,
Attorney-General.



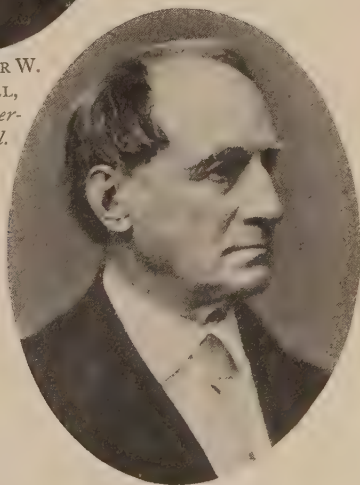
ROBERT OULD.



ALEXANDER W.
RANDALL,
*Postmaster-
General.*



WM. M. EVARTS,
Attorney-General.



CALEB CUSHING,
Attorney-General.

to be gained by the change. His letter to the President, above quoted, unquestionably reflected his true feelings about the matter.

Very naturally the country was greatly astonished to see Grant enter the cabinet which was struggling to nullify his own glorious achievements as a soldier. The people could not know of his agreement with Stanton, nor see that what seemed to be a master-stroke on the part of the rampant President was really the first step toward ultimate defeat.

Major A. E. H. Johnson, confidential clerk to Stanton, continued in that capacity with Grant, reporting now and then to his former chief the inconsequential developments of the War Department. He says:

Had General McClellan or General Steedman or General Ewing or General Cox or General Sherman, to all of whom, I believe, the War Department was offered, accepted, Mr. Stanton would have resisted because Congress, by the tenure-of-office law of March, 1867, had placed him above the President; but he trusted Grant.

When Grant accepted, the Democratic and copperhead and even the Southern press took him under its wing and patted and petted him as one of them. The *Richmond Dispatch* declared gleefully that the President now had a right arm and the *Inquirer* observed that Johnson did not appoint Grant until "satisfied of his support." Other Southern papers commented in the same vein, and with unconcealed satisfaction.

However, they as well as the President and his advisers, as we shall soon see, were doomed to the keenest disappointment; for Grant kept sacred to the end not his direct promise to Johnson, but his implied promise to Stanton.

CHAPTER LVIII.

A BRIEF RESPITE — McCARDLE CASE.

At the time of his suspension Stanton was penniless* so far as cash was concerned, and in a precarious condition, physically. He said to General J. K. Moorhead, his old Pittsburg friend: "General, I have no money, not even enough to pay my marketing bills. I wish you would loan three thousand dollars to me. You know my Monongahela coal lands are ample security."

The loan was promptly made, but no security accepted; and with these funds he proceeded at once to the shores of Cape Cod with his family, as the guest of Samuel Hooper at fresh and beautiful Cotuit. There, wholly relaxed, like one set free from prison, he drank in the ocean air and seemed to live a year in every day. Declining an invitation to accept the hospitalities of the City of Boston, tendered on August 22, 1867, he left Cotuit for St. Albans, Vermont, to visit ex-Governor and Mrs. Gregory Smith. Of this visit the hostess says:

Mr. Stanton's enjoyment of the surroundings astonished me. The evening of his arrival he immediately went out of the house and ran across the garden like a boy, exclaiming: "How delightful the air is. I can breathe! See, I can breathe!"

His terrible enemy, asthma, retired for a moment and the weary war-worn veteran threw aside his armor and, forgetting the nightmare horrors from which he had so recently emerged, drank in the repose and recreation he so greatly needed.

All the sternness and severity of his countenance passed away. He joked and laughed with the children; rode often with my young daughter in a single carriage; walked alone in the grove and garden and when, late in the evening, we gathered in the library, discussed various subjects or told us stories of the war.

*Says Major A. E. H. Johnson: "When the Secretary left the Department to General Grant, he had \$4.76 as a balance from his last month's salary, and by my confidential relations with him I knew that he had not another dollar."

He remained with us about a week, submitting graciously to a large reception given in his honor and to various diversions planned for his enjoyment. After he returned to Washington he wrote me a very beautiful letter, breathing throughout the spirit of a gentle, tender, and sympathetic nature that would astonish those who knew him only in his official capacity. That letter I cannot find, but I enclose another written a year later, briefer than the first, yet full of tenderness, gratitude, and affection.

The letter mentioned is as follows:

Washington City, August 31, 1868.

My Dear Mrs. Smith:

As the anniversary of our visit to St. Albans last year approaches, my thoughts often turn to you and my esteemed friend, your husband, and your interesting family group, and the strangers then but no longer so who extended to me, as your friend, so kind a reception. But especially to your household my heart's cherished remembrance is chiefly due for the many acts of kindness never to be forgotten. I hope you and the Governor and your children are well. You all live in our thoughts, and even our own little Bessie talks of Anna and asks why she does not write her a letter.

We have spent at home a very pleasant summer, except for the illness of Mrs. Stanton's mother—that broke up my arrangements for a trip to the Northwest, including Lake Superior, to which I had been looking forward with much anticipated pleasure.

I beg you to give my kindest regards to the Governor and all your children, especially my dear Miss Anna, whose health I regretted to hear was not good in the spring. I indulge the hope that she has many pleasant drives such as I enjoyed in her company. Please tell your father I was disappointed that he did not make his contemplated visit to Washington, although there was not much here that would have gratified him last winter. I had the pleasure of seeing Mr. and Mrs. Dutcher when they were here and beg you to give them my kind regards and also their son, whom I met at Sunday school.

Mrs. Stanton has just come in from a morning visit and learning that I am writing to you, insists on my sending you her love with kindest regards to the Governor and her friend Anna and the other members of your family, while Bessie sends a "heartful" on her own account.

For yourself, dear madam, I shall always cherish sentiments of profound admiration and respect, ever remaining most sincerely,

Your friend,

Mrs. Governor Smith.

Edwin M. Stanton.

His enjoyment was more perfect at St. Albans because he was receiving reports from his faithful clerk that Grant, as he had agreed, was "doing nothing beyond holding the fort, driving his horses, and visiting with his cronies." In other words, Grant was

simply occupying the position *pro forma* to prevent President Johnson from appointing anybody else thereto previous to the meeting of Congress, and Congress supported Stanton.

In the meantime hostilities had been opened from other directions. Judge Black conceived the idea of inducing the State of Georgia to appear before the United States Supreme Court and ask for a writ restraining Stanton and the commander of the military district of which that commonwealth formed a part from executing the reconstruction acts. On April 16, 1867, Stanton was subpoenaed to answer why such a writ should not issue. The question was argued on its merits and the Court held, unanimously, that no such writ should issue,* the Court having no jurisdiction over "political rights, rights of State sovereignty, or political jurisdiction of executive officers."

Almost simultaneously with the Georgia case a petition came up from Mississippi also asking the United States to restrain President Johnson or any other officer from carrying the reconstruction acts into effect. The Court did not receive the paper, holding that motions and writs directed against the President could not be entertained. However, in the case of William McCardle of Mississippi, the President's attorneys found a clearer field.

McCardle, in his newspaper, opposed reconstruction and libeled General E. O. C. Ord, military commander of the district. Ord arrested McCardle, who sought from the United States District Judge a writ of habeas corpus for his release, which was denied. An appeal was taken to the United States Supreme Court at the December term, 1867, when the entire issue of reconstruction, the right of the nation to live, was put upon trial, with several of President Johnson's advisers acting also as McCardle's lawyers.

Stanton alone was left to defend the loyal people and their Government. To do this he engaged Matthew H. Carpenter of Wisconsin, who, taking rooms in the War Department, was constantly advised by him in the preparation of the brief.† At the conclusion

*See *Georgia vs. Stanton*, 6 Wallace, 63.

†In a letter to his wife, Carpenter wrote: "I got my big brief into the hands of the Government printer this morning. Stanton ordered one thousand to be printed. I went by his direction to confer with William M. Meredith, who, he says, is the biggest lawyer he ever knew. I read my brief to him and he said he had not a single suggestion to make; that it was unanswerable on every point. That pleased Stanton as much as it did

of the argument, to which he was a grave and intensely interested listener, Stanton threw his arms about Carpenter, exclaiming fervently: "You have saved us, you have saved us!"

While the case was under advisement by the justices, the provision of the reconstruction act permitting appeals was wiped out by Congress, and McCardle was remanded to prison. That was the last suit of the kind Stanton was called upon to defend. Thereafter Congress was supreme in reconstruction matters, and carried them out almost literally along the lines laid down in the project Stanton conceived, prepared, and handed to Lincoln on the day preceding the assassination.

me, which I confess was considerable. Stanton sent for me this morning and said: 'You may as well understand that you are in for the whole fight. Take a room in the Department and be at home.' He then delivered to me the key to No. 29 and a check for \$5,000 as a retainer."

CHAPTER LIX.

ANSWERS THE PRESIDENT.

On the 12th of December, 1867, President Johnson sent a message informing the Senate, which had just convened, that he had suspended Stanton in August and appointed Grant as secretary of war *ad interim*. As soon as this message was printed, Stanton sent an answer to the Senate, setting the first precedent in our history of a cabinet officer officially controverting the chief executive before the high advisory body of the United States Senate.

As reasons for the suspension, Johnson alleged that Stanton, when advised in August that his resignation would be accepted, made a "defiant" reply; that he counseled the President to veto the tenure-of-office act but, when the bill was passed over the President's veto and became a law, insisted on compliance with its provisions; that he was the author of the President's policy of reconstruction which he now opposed and that he did not exculpate the President from responsibility for the New Orleans riot (of July, 1867).

Stanton's answer was complete, summoning the entire record in the controversy and showing that the President's trail was crooked from beginning to end. It is not printed here *in extenso* because the preceding and following chapters bring out (in connection with and illustrated by the peculiar circumstances surrounding them) all the essential facts stated by Stanton.

As to the second charge, he said in part:

My alleged opposition to the bill regulating the tenure of civil offices presents the singular complaint of agreement in one instance with Mr. Johnson. I did oppose the tenure-of-office bill; so did he. But when it became a law by a two-thirds vote over the veto objections, it was his duty and mine, as executive officers, to respect and obey it.

My disapproval of the measure when it was but a bill, and especially to that part which retained members of the cabinet, was no secret in or out of the cabinet. When the bill was before Congress, I advised against its passage. It was publicly advocated in the debates in Congress as necessary to protect the Secretary of War against Mr. Johnson's hostility. But while thankful for the confidence this evinced, I asked no protection; Mr. Bing-

ham was requested to ask my friends to have the provision stricken out; and after the bill passed, I hoped it would be reconsidered and fail after veto and would cheerfully have stated my objections in the form of a veto, *had time and health permitted.*

As Congress, in spite of Mr. Johnson's opposition and mine, reserved the right of final judgment on the removal or suspension of an officer, it was no misconduct to protest against the violation of the tenure act in my person, unless it be wrong to conform to a law disapproved before its passage. This seems to be Mr. Johnson's view, and forms an aggravation of my offense.

To the charge that he now opposed the reconstruction policy of which he himself was the author, Stanton's answer was crushing. He showed how Johnson, stealing and slightly patching up the preliminary plan prepared by Stanton for Lincoln just before the assassination, claimed the entire project as his own; and then when he had so radically changed the plan that the country rose up in indignant protest against it, he cried out that the child which he had previously claimed was not his own after all, but Stanton's.

He showed how the testimony he had given before the committees of Congress that investigated reconstruction had been falsified by Johnson, who suppressed the part declaring "my opinion is that the whole subject of reconstruction * * * is subject to the controlling power of Congress," and averred anew:

I always maintained the paramount power of Congress over reconstruction, and when he set up his claim to absolute and exclusive control, this conflict of executive power against the authority of Congress produced differences between Mr. Johnson and the Secretary of War, *who stood alone* after the resignation of the Secretary of the Interior, Postmaster-General, and Attorney-General, against Mr. Johnson's claim of supremacy.

He then concluded:

It is true that in this case personal considerations would have led me long ago to sever my relations with Mr. Johnson. But under authority from Congress, and Mr. Lincoln's order, I had as secretary of war put over a million of men into the field, and I was unwilling to abandon the victory they had won, or to see the "lost cause" restored over the graves of nearly four hundred thousand soldiers, or to witness four millions of freedmen subjected, for want of legal protection, to outrages against their lives, persons, and property, and their race in danger of being returned to some newly-invented bondage.

For these reasons I have resolved to bear all and suffer all while contending against such results. Hence the indirect modes of displacing me failed of their purpose; and I am thankful that, standing alone as I did, for

twelve months, giving the President faithfully and frankly my best judgment on the grave questions in agitation, I had the endurance and fortitude to bear with tranquil patience the modes employed to induce me to surrender my post.

If I have rendered any service to the country, or done anything to maintain its peace, it was by standing resolutely at my post fearlessly to give Mr. Johnson good advice. Supported by the highest considerations of public duty, the tenacity of my purpose was proof against all indirect modes to displace me.

But in all these differences of opinion respecting Mr. Johnson's reconstruction policy, during a period of two years, while for a part of the time he, by his confession, was employing every mode to induce my resignation short of express request, it is not complained that my bearing was disrespectful, or other than was due from the head of a Department to the chief executive.

Heretofore I have foreborne to reply to accusations, content with the consciousness of adhering to duty, and unwilling to seek the good opinions of men otherwise than by the faithful performance of the tasks devolved upon me; and I am influenced to answer these charges, not by their weight, for they have none, but in deference to the Senate of the United States.

After considering the letter from which the foregoing is extracted, the Senate refused to recognize the suspension of Stanton and the appointment of Grant. The vote, taken late in the evening, was unanimous among the Republican senators. John W. Forney, secretary of the Senate, drove in great haste to inform Stanton, gleefully, that he had been reinstated, and later sent messengers, with the official information, to Grant and the White House.

Next morning early, before Johnson or his agents could act, Stanton entered the War Office and resumed his duties as secretary of war.

CHAPTER LX.

BESIEGED BY THE PRESIDENT.

While Grant was sincere in his secret cooperation with Stanton to thwart Johnson, he was piqued at the unceremonious way in which Stanton resumed possession of the War Department. He did not at the moment realize that Stanton must secure actual physical possession in advance of any agent of the President, or be placed at a decided disadvantage.

Johnson, too, was exasperated—excessively enraged—for he had been defeated by Grant's failure to keep his promise to hold the War Department at all hazards. He consulted J. S. Black and other lawyers as to whether he could use the army to forcibly remove Stanton, and asked several army officers whether they would obey direct orders from the President to that effect. General W. H. Emory (commanding the Department at Washington), General Grant, and General Sherman replied that they would obey no such orders. He then conceived the idea of creating the military "Department of the Atlantic," with headquarters in the War Office, and appointing General Sherman to be its commander and also secretary of war. He believed that Sherman's personal hostility to Stanton for reversing the deplorable Sherman-Johnston-Davis terms of surrender was great enough to lead him to use force, if necessary, to gain and hold possession of the War Office. On this point Major A. E. H. Johnson makes some interesting disclosures:

General W. T. Sherman now appeared and joined with his brother John Sherman, General Grant, Judge J. S. Black, the Blairs, and a band of copperheads encamped about the White House in the efforts to oust Stanton.

Grant and Sherman, after consulting the President, agreed to go together and ask Stanton to resign. The date of their going and the purpose were advertised—probably by the President himself. Sherman did not summon courage to keep his promise, but Grant called, though he did not find a way to suggest resignation. Stanton expected and was ready for such a suggestion and knew precisely how to meet it. Through Walter L. Dunn, a soldier detailed there who carefully noted all callers and conversations, he knew all that was transpiring at the White House.

Stanton appreciated the fact that Grant was destroying his strength and usefulness, encouraging the South to renew efforts for supremacy, and tending inevitably toward national unrest and turmoil. Grant, too, knew how the country, North and South, interpreted his partnership with Johnson, for he read it everywhere, and it was told to him repeatedly by the foremost men of the nation. He also knew of Johnson's determination to resist Congress, to seize the army and use force to dispossess Stanton, and Stanton knew that he knew it.

History no longer questions the character of Johnson's designs. That he intended, if he could secure the cooperation of an adequate tool, to forcibly eject Stanton in spite of the law and the adverse vote of the Senate, is established by Grant himself as well as by General Sherman's "confidential" letter to the President, in which he says, subsequently declining to enter upon the desperate scheme:

"Your personal preferences, as expressed, were to remove Mr. Stanton from his office as secretary of war and have me discharge the duty. To effect this removal two modes were indicated: to *simply cause him to quit* the War Office building and not to respect him as secretary of war; or to remove him and submit my name to the Senate for confirmation."

Grant and Sherman were both too much afraid of the law and of Congress to go to violent extremes, and suddenly disconnected themselves from Johnson's revolutionary plans.

Thus checkmated, Johnson, partially in writing and fully by parol, forbade Grant to obey orders emanating from Stanton, but the Treasury Department continued to honor the Secretary's requisitions and the military establishment to obey his orders.

Johnson then assailed Grant in a series of letters of great strength, said to have been composed by his attorney, J. S. Black. One of them is given a place here because it confirms the statement made previously that Stanton did not leave the Department in August, 1867, until Grant had given a pledge that the office should not, under any circumstances, be turned over to Johnson or his tools prior to the meeting of Congress:

I deem it proper, before concluding this letter, to notice some of the statements contained in your letter. You [Grant] say that performance of the promises alleged to have been made by you to the President "would have involved a resistance to law and an inconsistency with the whole history of your connection with the suspension of Mr. Stanton." You then state that you had fears that the President would, on the removal of Mr. Stanton, appoint some one in his place who would embarrass the army in carrying out the reconstruction acts and add: "*It was to prevent such an appointment that I accepted the office of secretary of war ad interim and not for the purpose of enabling you to get rid of Mr. Stanton by my withholding it from*

him in opposition to the law, or surrendering it to one who would do so, as the statements and assumption in your communication plainly indicate was sought."

First of all you here admit, that from the very beginning of "the whole history" of your conduct in connection with Mr. Stanton's suspension, you intended to circumvent the President. It was to carry out that intent that you accepted the appointment. This was in your mind at the time of acceptance. It was not, then, in obedience to the order of your superior, as had heretofore been supposed, that you assumed the duties of the office. *You knew it was the President's purpose to prevent Mr. Stanton from resuming the office of secretary of war*; and you intended to defeat that purpose. You accepted the office, not in the interest of the President but of Mr. Stanton! You not only concealed your design from the President, but induced him to suppose that you would carry out his purpose to keep Mr. Stanton out of office by retaining it yourself after an attempted restoration by the Senate, so as to require Mr. Stanton to establish his right by judicial decision.

The above is essentially a true statement of the case. Grant promised Stanton that he would not permit the War Office to fall into the hands of Johnson, and he kept the promise, although obliged to deceive the President and his cabinet to do so. He did it for the benefit of his country, North and South.

Undaunted in his purpose, Johnson now adopted a more startling course. Having worked General Lorenzo Thomas up to the point of promising "to obey orders," he restored him to duty as adjutant-general on February 13, and on the 21st issued this order to Stanton:

You are hereby removed from the office as Secretary of the Department of War, and your functions as such will terminate upon the reception of this communication. You will transfer to Brevet-Major-General Lorenzo Thomas, adjutant-general of the army, who has this day been authorized and empowered to act as secretary of war *ad interim*, all records, books, papers, and other property now in your charge.

Within an hour Stanton communicated the foregoing to the Senate and House and "commanded" Thomas "to abstain from issuing any orders other than in your capacity as adjutant of the army."

Immediately thereafter Stanton dictated to A. S. Worthington, who copied and delivered at army headquarters, the following to General Grant:

As secretary of war I command you to arrest and confine General Lorenzo Thomas, adjutant-general, for disobedience to superior authority in refusing to obey my orders as secretary of war.

"A few moments later," says Colonel Worthington, "General Grant and his aides clattered into the hall. Holding the order of arrest in his hand, Grant entered the Secretary's room and a private conference of perhaps half an hour followed. The nature of it can only be surmised, but the arrest was not put on file and Grant never after that was friendly to the President,"* and never thereafter, Stanton excepted, spoke to a member of the cabinet.

That evening, after receiving the President's order to "go ahead and take possession of the War Office—find the necessary means"—Thomas attended a masquerade ball, announcing as he waltzed about that he should take possession on the following morning, "battering down the doors" if he found them locked and meeting "force with force" if Stanton should resist. He invited his friends to "come and see the performance"; he was "going to kick Stanton out." Washington was in high excitement. Thomas expressly stated that he was "acting on the advice of the President, who had good attorneys," and could call on Grant, who would have no discretion but to "obey an order from his superior officer," for sufficient force to dislodge Stanton, and that "success was certain."

Johnson was advised at this moment, says Henry Wilson, that his performance might result in impeachment. "Impeach and be d—d," he roared in a terrific rage. "I'll put Stanton out if I have to be tried and shot for it!"

Stanton, learning these threats, sent this note to Senator Edmunds by a special messenger:

I am informed that Adjutant-General Thomas is boasting that he intends to take possession of the War Office at 9 to-morrow morning. If the Senate does not declare its opinion of the law, how am I to hold possession?

The Senate, acting on the note to Senator Edmunds, by unanimous party vote refused to confirm Thomas and also "RESOLVED, that under the constitution of the United States the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office *ad interim*."

If this had not been done, Stanton would have left his office the next day, feeling that Congress did not care to save itself.

*After Grant had been elected president he refused to ride to the inauguration in the carriage with Johnson.

At 10 o'clock that evening (February 21) copies of the resolution were transmitted to Stanton, Johnson, and Thomas. Thereupon threats to employ the army to "kick Stanton out"—Johnson's exact words—became more emphatic, and leading Republicans gathered in the War Department, where the Secretary had already fortified himself, to aid in resisting whatever siege might be laid.

After full discussion among those present, Stanton advised the arrest of Thomas on civil process and the impeachment of Johnson. The complaint against the former was signed by Stanton at 2 o'clock next morning (the 22nd), Judge David K. Cartter issuing a warrant thereon which was promptly served. At 9 o'clock Thomas was not in the Secretary's office but before the court to answer for his conduct.

Being released on his own recognizance,* he returned to the President, who again ordered him to "go ahead and take possession of the War Department," which order he attempted to execute notwithstanding the fact that he was under arrest.

The effort was ineffective. He could not secure sufficient help to overcome the large number of distinguished citizens and officials by whom Stanton was surrounded.

*Thomas was discharged on Stanton's motion after articles of impeachment had been brought in against his superior, the President, for practically the same offense.

CHAPTER LXI.

CONGRESS AT STANTON'S FEET.*

The day after Stanton's reinstatement, a large delegation of members of the House, headed by Speaker Colfax, called to ask him not to resign. This remarkable appeal was based particularly upon Stanton's answer to the President's request for his resignation, wherein he retorted: "Public considerations of a high character, which alone have induced me to continue at the head of the Department, constrain me not to resign the office of secretary of war *before the next meeting of Congress.*"

This indicated, which was the fact, that he intended to resign after Congress had convened; but on receiving the resolution reinstating him, he said: "I will obey the mandate of the Senate." Next morning, however, the city and Congress were full of unauthorized talk that he intended to resign, as he was satisfied with his vindication by the Senate.

This was what Congress did not want, and Speaker Colfax, accompanied by half a hundred representatives, personally presented a letter signed by sixty others who could not be present, requesting Stanton to continue as secretary of war. The Speaker stated that "since the passage of the tenure-of-office law Mr. Stanton had become an officer of the people, and not removable without the consent of the Senate; that he ought not to resign unless the people demanded it and that the people wanted and expected him to retain his place."

Mr. Colfax referred to him as "the Thermopylæ, the pass of greatest value to reconstruction by Congress; that on him rested the safety of reconstruction; that the people and the loyal press would sustain him; that the great Republican party was at his back; that Congress was ready and willing to make any laws for the greatest security and power of the commanders on whom would devolve

*Prepared from notes supplied entirely by Major A. E. H. Johnson, who took them on the spot.

reconstruction; that he carried his colors open and represented more than any man of the day the policy of Lincoln and the spirit of the people who crushed the great Rebellion, and who were determined to see that victory stand to give peace to the Republic."

Mr. Moorhead of Pittsburg said there was now a "complete rupture between the legislative and executive departments of the Government; that there was no one left on whom Congress could rely to execute its laws but the Secretary of War; that the President was aiming to get control of the army; that to defeat that aim the public insisted that the Secretary cooperate with Congress; that in that struggle the Secretary would have the support of General Grant; that for this he had come to ask Stanton to stay."

Mr. Kelley of Philadelphia said "the occasion that had brought them to the War Department was full of solemn forebodings; and for the Secretary to leave the post the Senate had put him in would mean turning the army over to the man who was plotting ways to defeat the reconstruction laws Congress had made and to use the military to undo what our great volunteer armies had gained."

Mr. Van Horn said that "the Secretary's duties were severe and exacting, the hours anxious and weary; but he had won the respect and confidence of the people, who demanded that he make whatever further sacrifices might be required and stand by Congress in its bitter struggle with the President."

Mr. Ferry said that "having been the mainstay in war, Mr. Stanton was now needed more than before in his Department; that, to rule or ruin, the President had the hunter's zeal for the chase, which grows from season to season, and that if there ever was a time when the statesmanship and force of the Secretary were needed to meet the impending destruction, it had come, and he must not resign."

Mr. Delano said that "Congress had made a law and the Senate just reenacted it, making the Secretary of War above the President; that it was the intention of Congress that he should be the sole power of the War Department; that rumors of the wild intentions of the President were flying thick and fast and that they had come to ask him not to give up to this power; that with Congress holding the Department through him and the army through Grant, the rage of the President would undo himself instead of the country."

R. W. Clarke, of Ohio, said that, "as in the dark days the nation looked to the Secretary of War, so now Congress looked to

him; that as he had served Lincoln with heroic power, so now he must serve Congress, and save the country."

Mr. Dodge said "the President was under the delusion that the Senate was disgusted because the Secretary of War was staying in a cabinet where he was not wanted, and that Trumbull and Fessenden would vote against his reinstatement. On the contrary Fessenden made the most earnest and able speech for the greatest war minister ever upon the earth, as the link which was destined to bind into continuity a Government that was so far imperiled to hang upon a single thread of loyalty and courage; and that the Secretary was the most promising victim of the hate and venom which characterized the official acts of the renegade at the White House toward loyal officers and people throughout the land. Mr. Stanton is not asked to stay as a member of that man's cabinet, but as a paramount member of a Congress to which he could come for any law or authority he wanted; that he had been suspended because he was true to the policy of Congress and the country, and for such fidelity Congress had given him a world-wide reputation which would survive the treachery of the President; that for this they had come to ask him to stay; that never before in the history of the Government had such a delegation with such a letter called upon any servant of the Government to ask him not to resign."

One member said he "did not come to offer congratulations, but on more important business; that he did not believe that Mr. Stanton could have received the unanimous vote of the Republican senators if they had entertained a suspicion that he would resign."

Mr. Lawrence said "it seemed that the crucial hour of the Government had been transferred from the field of war; that the enemy at the South had joined hands with the enemy at the North—had flanked our armies and was on the way to seize Congress, but that, fortunately, Congress still had its great captain who had just been given a new commission."

Mr. Stanton's short, simple answer at the conclusion of the speeches, "I will not resign," was hailed with enthusiastic clapping of hands and expressions of supreme gladness. The great delegation withdrew, happy in the thought that the country was secure.

The picture of Congress at the feet of a single cabinet minister to save themselves from a rampant president is indeed interesting and remarkable!



MANAGERS OF THE IMPEACHMENT TRIAL OF PRESIDENT JOHNSON.

Standing — James Wilson, George S. Boutwell, John A. Logan.

Seated — B. F. Butler, Thaddeus Stevens, Thomas Williams and John A. Bingham.

In addition to the demands of the loyal press of the nation, and of the great congressional delegation, the unexpected turn which had occurred in the battle with the President was potent in determining Stanton to stay. The whole controversy had changed. The Secretary was momentarily in the background and Grant, as the only way out of his fearful broil with the President, was now urging Stanton to stay in the office from which, by the aid of the President, he had so recently been trying to oust him!

The following extraordinary letter to General P. H. Sheridan, commander of the military district of Texas, shows how completely Grant changed front and how oracular were Stanton's words in the Ashley letter:

I regret to say that since the unfortunate difference between the President and Congress the former becomes more violent with the opposition he meets with, until now but few people who were loyal to the Government during the Rebellion seem to have any influence with him. None have unless they join in the crusade against Congress, and declare their acts, the principal ones, illegal; and indeed I much fear that we are fast approaching the time when he will want to declare that body itself illegal, unconstitutional, and revolutionary.

Commanders in Southern States will take great care to see, if a crisis does come, that no armed headway can be made against the Union.

For this reason it will be very desirable that Texas should have no reasonable excuse for calling out the militia authorized by their legislature. Indeed, it should be prevented.

I write this in strict confidence, but to let you know how matters stand in my opinion, so that you may square your official action accordingly.

I gave orders quietly two or three weeks since for the removal of all arms in store in the Southern States to Northern arsenals. I wish you would see that those from Baton Rouge and other places within your command are being moved rapidly by the ordnance officers having the matter in charge.

Thus, step by step does Stanton's perfect vindication irresistibly unfold itself; but how miserably do the historians of other leading actors in that tragic field of chaos submerge his heroic services in order to mend the tortuous and unworthy records with which they are compelled to deal!

CHAPTER LXII.

IMPEACHMENT FAILS — STANTON RETIRES, OUT OF FUNDS.

In the House of Representatives Stanton's communication announcing Johnson's illegal appointment of Thomas had been referred, without debate, to the Committee on Reconstruction, which, on the following day (February 22) reported a resolution that President Johnson be impeached. Next day (Sunday) before midnight Stanton dictated to A. S. Worthington, now a distinguished attorney of Washington, ten articles of impeachment and on Monday, the 24th, the House adopted a resolution, 126 to 47, to apprise the Senate that the articles upon which the trial of impeachment must take place would be brought in at once.

The managers added article XI., which is a condensed summary of the ten articles prepared by Stanton. The whole was agreed to on March 3 and on the 5th was presented by the House to the Senate as the grand inquest of the nation, Chief Justice Chase presiding.

The articles charged the President with violating the tenure-of-civil-office law of March 2, 1867, in attempting to eject Edwin M. Stanton from the office of secretary of war without the advice and consent of the Senate and while that body was in session; in treasonable utterances against Congress by advising the masses in public speeches that it was "no Congress" and promising, with the help of "you soldiers and people," to "kick them out"; in uttering publicly language "indecent and unbecoming" to the high office of president, etc., etc.

The trial was conducted for the President by William M. Evarts, Benjamin R. Curtis, Jeremiah S. Black, Thomas A. R. Nelson, and Henry Stanbery;* and on behalf of the House—John A. Bingham, chairman of the managers—largely by Benjamin F. Butler, and was very ably managed. It was concluded on May 26 by a

*Mr. Stanbery resigned from the cabinet in order to defend Johnson.

FORTIETH

CONGRESS



U.S.

SECOND SESSION

SENATE CHAMBER

MAY 16TH AND 26TH 1868.

The vote of the Senate, sitting as a High Court of Impeachment for the trial of ANDREW JOHNSON, President of the United States, upon the 11th, 2nd and 3rd Articles.

W. Hall, Chief Justice.

W. P. Johnson, Secretary.

Guilty.

- | | | |
|--------------------------|------------------------------|-----------------------------|
| 1 <i>B. J. Lane</i> | 13 <i>Gas. Harlan</i> | 24 <i>Charles Sumner</i> |
| 2 <i>H. W. Corbett</i> | 14 <i>As. Pomeroy</i> | 25 <i>Abner S. Cook</i> |
| 3 <i>Leontius Cole</i> | 15 <i>Thos. Ramsey</i> | 26 <i>Geo. H. Wiercapp</i> |
| 4 <i>L. C. How</i> | 16 <i>Wm. Conness</i> | 27 <i>Sam. Ch. anderson</i> |
| 5 <i>Wm. Stewart</i> | 17 <i>Quint. Edmunds</i> | 28 <i>E. D. Morgan</i> |
| 6 <i>W. Patterson</i> | 18 <i>Ind. J. T. Johnson</i> | 29 <i>Wm. Sherman</i> |
| 7 <i>Justin S. Smith</i> | 19 <i>H. W. Hurlbut</i> | 30 <i>John M. Mayner</i> |
| 8 <i>James M. McKim</i> | 20 <i>Sam. Howard</i> | 31 <i>Pres. Giddings</i> |
| 9 <i>Sam. C. Chase</i> | 21 <i>S. C. Pomeroy</i> | 32 <i>C. D. Drake</i> |
| 10 <i>Henry Wilson</i> | 22 <i>Wm. J. Miller</i> | 33 <i>Sam. Garrison</i> |
| 11 <i>A. H. Croquis</i> | 23 <i>Rich. Yates</i> | 34 <i>F. W. Dighton</i> |
| 12 <i>W. Springer</i> | | 35 <i>O. P. Morton</i> |

Not Guilty.

- | | | |
|----------------------------|--------------------------|------------------------------|
| 1 <i>J. A. Hendrichs</i> | 7 <i>J. P. Henderson</i> | 14 <i>John Collins</i> |
| 2 <i>W. A. Phelps</i> | 8 <i>Lymon Trumbull</i> | 15 <i>David T. Porter</i> |
| 3 <i>J. Stanton</i> | 9 <i>E. L. Ross</i> | 16 <i>Willard, Fairbanks</i> |
| 4 <i>Wm. Lookout</i> | 10 <i>W. P. Brewster</i> | 17 <i>Rich. Harris</i> |
| 5 <i>Thos. C. McCreary</i> | 11 <i>Samuel Davis</i> | 18 <i>D. S. Van Munkle</i> |
| 6 <i>George Vickers</i> | 12 <i>J. H. Bayard</i> | 19 <i>James D. Orr</i> |
| | 13 <i>Wm. S. Fowler</i> | |

Revised printing of Congress to the year 1868 by JAMES T. & J. H. BAKER, in the Chief Clerk's Office of the Senate Chamber at the Senate of the United States.

VOTE OF SENATE ON IMPEACHMENT.

vote of 35 to 19 that respondent was "guilty as charged." As two-thirds are required to impeach—in this instance 36 to 18—Johnson escaped by a single vote!

Prior to casting the vote, failure to impeach was not supposed to be possible, as the Senate was Republican almost four to one. So certain was the country that Johnson would be convicted and deposed and that Benjamin F. Wade, as president of the Senate, would succeed him in the White House, that a new cabinet was informally selected, with Stanton as secretary of the treasury.

This movement, which became formal in Pennsylvania, led Stanton to write this characteristic letter:

War Department, April 14, 1868.

Dear Sir:

Perceiving in this morning's *Chronicle* that a communication has been signed by the Governor of your State, the Republican members of the legislature, and other persons, asking your recommendation for my transfer upon a certain contingency [Johnson's conviction] to the head of the Treasury Department, I hasten to request earnestly that no such recommendation be made.

Enough of my life has been devoted to public duties.

No consideration can induce me to assume those of the Treasury Department, or continue in the War Department longer than may be required for the appointment and confirmation of my successor.

Yours truly,

The Honorable Simon Cameron.

Edwin M. Stanton.

Nine Republicans voted with the Democrats against impeachment thus: Lyman Trumbull of Illinois, E. G. Ross of Kansas, J. W. Grimes of Iowa, J. S. Fowler (born in Steubenville) and D. T. Patterson of Tennessee, Wm. Pitt Fessenden of Maine, James Dixon of Connecticut, P. G. Van Winkle of West Virginia, and J. B. Henderson of Missouri.

Senator Patterson was the President's son-in-law, and could hardly escape giving a negative vote. The legislature of Missouri formally instructed Henderson to vote for impeachment, but he disobeyed; Lyman Trumbull (standing counter to public opinion in his State) and William P. Fessenden were alleged to personally dislike Stanton, and one vote was secured through a famous woman artist and sculptor.

Other votes were procured by influences not on record,* al-

*"Money without limit was provided to carry on the President's side of the contest. Over \$40,000 went to newspapers, and his numerous lawyers

though James W. Grimes of Iowa refused to vote against impeachment until he had received from President Johnson himself a distinct promise that, in case of acquittal, there should be no further persecution of Stanton or his friends. On this point John Francis Coyle, editor of the *National Intelligencer*, Johnson's organ, makes the following disclosures:

I assured Senator Grimes, and so did others for the President, that in case of failure to impeach there should be no further persecution of Secretary Stanton, but he would accept the word of no one but Johnson himself. The President was really in desperate circumstances. There was a national majority sufficient to impeach, and he was willing to make any promise that would save him. I arranged a dinner party at my residence at which President Johnson and Senator Grimes were the principal guests. At the end of the wine and walnuts the other guests withdrew and the promise necessary to secure the vote of Senator Grimes was given, and Johnson escaped by the single vote thus obtained! He kept his promise to Senator Grimes faithfully, never thereafter uttering a word against or derogatory of Mr. Stanton.

During the progress of the great trial renewed attempts were made to eject Stanton or deprive him of the use of the machinery of his office. The postmaster of Washington was instructed to deliver the mail of the War Department to General Lorenzo Thomas personally, but promptly refused to do so. Then Grant was requested to issue an order, as general-in-chief, to the heads of Departments to turn over to him all letters, records, papers, and documents in and coming into their possession, but he, too, refused to obey. Finally, to prevent honoring Stanton's requisitions, Johnson attempted to have Edmund Cooper, his friend and former private secretary, made assistant-secretary of the treasury, although there was no vacancy. The act of March 2, 1867, gave one assistant secretary of the treasury authority to sign warrants for the payment of money, and Cooper agreed, if appointed, to honor the requisitions and pay the War Department bills of Thomas but not those of Stanton.

Thomas regularly went through the motions of meeting with the cabinet as "secretary of war." He did not, however, dare to put forth an order, sign a paper, draw salary, or issue a requisition. All of these matters were attended to by Stanton, whose power and au-

were richly compensated. The funds came largely from the New York, New Orleans, Baltimore, and Philadelphia custom houses," says John Francis Coyle, editor of Johnson's organ, the *National Intelligencer*.

thority were fully recognized by Grant, Congress, and all the civil and military officers except the President.*

Stanton was overwhelmed by the result of the impeachment trial. He felt that the sacrifices he had made, if not in vain, were certainly not bearing proper fruit, and that failure to convict Johnson was practically conviction of himself.

Therefore, at 3 o'clock of May 26, 1868, the day on which Chief Justice Chase entered up the verdict of "Not Guilty," weak from long physical suffering and exhausted by over six years of more arduous and responsible labors than were ever accomplished by any other official on this continent, he sent his son Edwin to instruct General Townsend to take charge and possession of everything in the War Office and hold it subject to appropriate action of the Senate. He also gave to Townsend the following letter to be handed afterwards to President Johnson "relinquishing" his office:

Sir:

The resolution of the Senate of the United States of February 21 last, declaring that the President has no power to remove the secretary of war and designate any other person to perform the duties of that position *ad interim*, having this day failed to be supported by two-thirds of the senators present and voting on the articles of impeachment presented against you by the House of Representatives, I have relinquished charge of the War Department, and have left the same and the books, archives, papers, and property heretofore in my custody as secretary of war in care of Brevet-Major-General Townsend, the senior adjutant-general, subject to your direction.

Next morning General Thomas attempted to secure possession of the War Office keys but Townsend, on Stanton's advice, refused to give them up.

On the 29th General John M. Schofield, who, as the Senate declared, had been illegally appointed on April 23, was confirmed as secretary of war because Stanton had "relinquished" the office, and to him Townsend delivered the keys. On June 1 the Senate passed the following resolution, offered by George F. Edmunds, which was concurred in by the House on the 19th by a vote of 102 to 25:†

*Says General E. D. Townsend, who was acting adjutant-general during this trying period: "For some time President Johnson utterly ignored Mr. Stanton and would have nothing to do with General Grant. I stood on a sort of neutral ground in this triangle, receiving and executing the orders of all three without immediate reference to any."

†The following senators voted nay on the resolution of thanks: C. R. Buckalew, Pennsylvania; J. R. Doolittle, Wisconsin; J. S. Fowler, Tennes-

RESOLVED BY THE SENATE (The House of Representatives concurring), That the thanks of Congress are due, and are hereby tendered, to the Honorable Edwin M. Stanton, for the great ability, purity, and fidelity to the cause of the country with which he has discharged the duties of secretary of war, as well amid the open dangers of a great Rebellion as at a late period when assailed by the opposition inspired by hostility to the measures of justice and pacification provided by Congress for the restoration of a real and permanent peace.

At the moment of relinquishing his office, Stanton's health and finances were in a more feeble condition than ever. For some time he was hardly able to leave his room. While thus prostrated he sent his son to the great banking house of Riggs and Company, in Washington, to borrow five hundred dollars on his promissory note, and the loan was refused! He was much distressed and humiliated by this refusal, his first banking in Washington having been done through, and for years his deposits and those of Mrs. Stanton having been with, Riggs and Company.

Dr. John B. Blake of the National Metropolitan Bank, being advised of the incident, offered to discount Stanton's note for five hundred dollars or any other sum, which offer was gratefully accepted.

see; J. B. Henderson, Missouri; T. A. Hendricks, Indiana; Reverdy Johnson, Maryland; T. C. McCreary, Kentucky; D. S. Norton, Minnesota; D. T. Patterson, Tennessee; E. G. Ross, Kansas; George Vickers, Maryland.

CHAPTER LXIII.

WAR OFFICE SECRETS AND EPISODES.

The furniture of Stanton's office was of the simplest kind. The only luxury was an old haircloth lounge, from which the covering was half worn. On this, during great battles or important military manœuvres, when he dared not be away from the telegraph instrument day or night, he secured a little rest. Here, too, during many an anxious night, Lincoln stretched himself while reading despatches and consulting with the Secretary.

The chairman and members of the Committee on the Conduct of the War visited Stanton every morning and other leading men of both Houses were in almost daily consultation concerning needed or pending legislation. In fact, during the war, except when appointments or favors were sought, representatives and others consulted more with Stanton than with the remainder of the administration combined.

Carpenter, the artist who spent six months at his profession in the White House, says that when Lincoln was found alone signing papers without reading them, he observed: "You see I do not read these documents. Stanton has signed them, so I know they are all right."

W. R. Allison, a veteran editor of Steubenville, Ohio, recalls that at one time Government ambulance wagons stored in Washington for service at the close of battles to remove the dead and bring away the wounded, got into private use. Stanton, observing one on the street, inquired how it came there. On being told that it was by Lincoln's permission, he instantly commanded a police captain: "These wagons may be telegraphed for at any moment. Warn every person in charge of one to return it within an hour, and if he refuses or fails, arrest him." Mr. Allison, who was a part of the administration at the time, says: "Stanton frequently issued similar orders, but there was never a protest or complaint from the White House; Lincoln knew Stanton was right,"

General O. O. Howard states:

My relations with Secretary Stanton were very cordial and they remained so during all my perplexing work for freedmen and refugees. Only once do I remember anything like a difficulty and that concerned my annual report. It was in print. He seized it and said to me in his roughest manner: "Sir, I told you not to print your report before I had read it." I said stiffly, in his own tone: "Sir, I did not understand you. You directed me not to *publish* my report; and I have not. I have simply put it in print with my own press for your convenience."

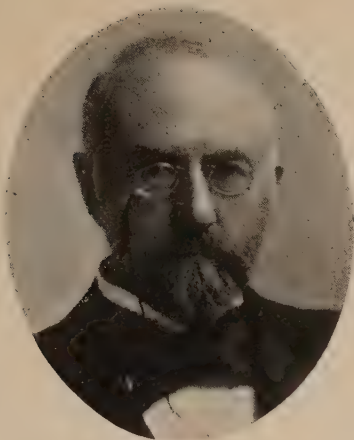
He was standing. He quickly sat down, took off his official spectacles, and in his most affable manner said: "Why, General Howard, I thought you understood me better. Take a seat, sir, while I review your report." He then read it carefully but rapidly. On completing it he gave it back with warm thanks for its explicit and satisfactory character.

He was accustomed to tell me that certain men could not be trusted. When one of my agents suddenly betrayed me, he laughed and said: "How could you have been deceived in that man? I knew him by the company he was keeping." He watched and studied everybody.

In 1864 Representative Philitus Sawyer of Wisconsin was a delegate to the Republican national convention at Baltimore. The day before the convention met he applied to Stanton for the discharge of young Follett of Green Bay. "No," said Stanton, "I can't do it." Mr. Sawyer explained that the case was one of extreme merit. "I know it," replied Stanton, "but there are thousands of such cases. I am moving heaven and earth in order to give Grant the men he wants. Grant's case is one of extreme merit, too."

Mr. Sawyer went thence to Lincoln, who wrote on Follett's application: "Let the within discharge be made. A. Lincoln." Returning to the War Department, Mr. Sawyer found Stanton writing at a stand-up desk. "I placed the application on the desk before the Secretary," says Mr. Sawyer. "He did not look up, but wrote across the document: 'Let the within discharge be made in accordance with the President's order. E. M. S.' He knew the discharge was setting a bad precedent, and would not himself make it; but Lincoln, less rigorous, generally did as his heart dictated, right or wrong. Mr. Stanton never did anything on his own motion that he thought was not right."

Colonel J. B. Montgomery of Portland, Oregon, says that a friend, an officer, desired a certain thing done. Stanton refused, and the officer went to Lincoln. The President, after listening, said he thought the request was reasonable and should be granted. "Tell Mr. Stanton I say so," said Lincoln. The officer explained



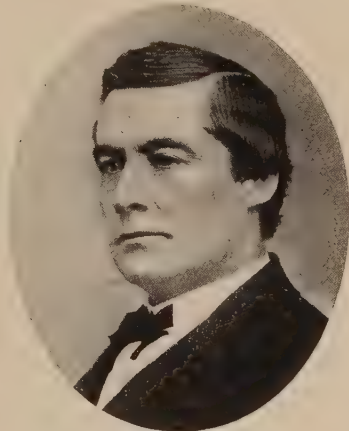
J. B. HENDERSON, U. S. S.



PETER G. VAN WINKLE, U. S. S.



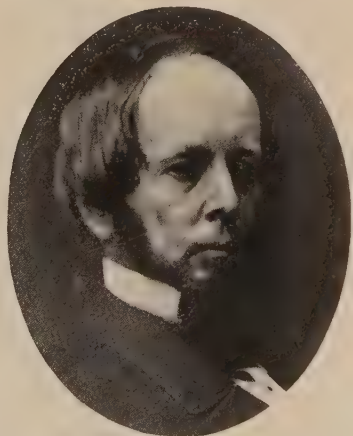
JAMES W. GRIMES, U. S. S.



EDMUND G. ROSS, U. S. S.



HUGH McCULLOCH,
Secretary of the Treasury.



JAMES DIXON, U. S. S.

that Stanton would pay no attention to him. "I will give you a card," said Lincoln, handing him a slip containing a request to Stanton to comply with Colonel M.'s wishes. "I can't do it," said Stanton, handing back the President's note. The officer retired and reported to the President, who asked appealingly: "Well, now, my friend, what can I do? Have I not requested and, like yourself, been refused?" "There the matter rested forever," says Colonel Montgomery, adding that it was this episode which led Lincoln to explain to friends who witnessed the incident: "You see I do not have much influence with this administration."

A young soldier whose mother was one of Thaddeus Stevens' constituents had been sentenced to be shot for sleeping at his post on the picket line. The mother, in the morning of the day fixed for the execution, applied to Stevens for help to save her son, who at once took the case to Lincoln.

"I am sorry, but I can't help you," said Lincoln. "Mr. Stanton says I am destroying discipline in the army and I have promised him I will grant no more reprieves without first consulting him."

"There is no time to consult anybody," rejoined Stevens, looking at the clock. "There is not an hour to spare."

"It is too bad, but I must keep my promise to sign no more reprieves," said Lincoln, "without first referring them to Mr. Stanton."

Picking up a telegraph blank, Stevens wrote a reprieve and, handing it to Lincoln, inquired if the form was correct. Lincoln said that it was, whereupon Stevens signed "A. Lincoln" to it and despatched a messenger on the run to the telegraph office to have it sent to the officer in command where the boy was to be shot. In a few minutes Stanton steamed into the Executive Chamber exclaiming:

"I see, Mr. President, you have signed another reprieve contrary to your agreement not to do so without first consulting the War Department."

"No," responded Lincoln, "I have signed no reprieve. I have kept my word."

"But I just now saw one going over the wires"—for Stanton ordered all messages to be repeated and recorded in the War Department, so he could know instantly everything that was going on in the armies—"and your name is signed to it."

"But I did not write it," persisted Lincoln.

"Did not write it! Who did write it?"

"Your friend, Thad Stevens,"

Stanton, who had been neatly circumvented, took his hat and left without another word; but the trick was never repeated.

Two Pennsylvania generals were without commands. One had been suspended for too much conviviality and the other for incompetence at Chickamauga. Both possessed strong political influence and in due time petitions asking for their restoration were numerous signed. "I presented the petitions," says General J. K. Moorhead, then representing the Pittsburg District in Congress, "and informed the Secretary that the convivial general authorized me to say that he would resign if Mr. Stanton would recommend him for a foreign mission. The Secretary was on fire in a second. 'I know better than the citizens of Pittsburg,' he exclaimed, 'who are fit to command our troops. The army already is cursed with too many drunken and incompetent officers. I will not put any more there; I will not recommend General _____ for a foreign mission, and if he doesn't resign within thirty days, I will drop his name from the rolls.' Both resigned. Secretary Stanton was right, of course, but these two officers and all their friends became his life-long enemies; and in some such way, if the truth could be given out, nearly all of the Secretary's bitter enemies were created," concluded General Moorhead.

Benjamin Tappan, jr., a son of Stanton's sister Oella, applied for a transfer from a staff position in the volunteer service to some place in the regular army, and was greatly surprised and chagrined when his application was rejected with a single wave of his uncle's hand. Family ties had no influence in official life with Stanton, but Lincoln himself promptly made the transfer in such a way that the Secretary could not interfere.

J. J. S. Hassler, after serving as drill-master for several months, decided that he wanted to go into the regular army. A number of senators, representatives, and prominent men united in urging his transfer. Lincoln threw up his hands in mock agony, saying: "Gentlemen, I can do nothing. That rests entirely with Mr. Stanton; but," he said, letting his hands fall, "I can go over and join in a request to Mr. Stanton to have Captain Hassler appointed in the regular army."

They went, but Stanton remained obdurate. While returning, the party met Adjutant-General Townsend, to whom they explained their errand. "I think I can fix it for you," he said. "Let it be understood by the President that Mr. Hassler will step across the

street and enlist as a private in the regular army, at the same time resigning his commission as an officer of volunteers. He can then at once be promoted."

The President smiled and assented to the subterfuge. The device came shortly to Stanton, who gave the officer who brought it to him one of those through-and-through looks with which it was his habit to chastise in silence those who had done something they knew was not right; but he signed the promotion.

General E. D. Townsend, referring to Hassler's case, explains why Stanton made the iron-clad rule against transfers and stubbornly adhered to it: "So many volunteer officers desired to get permanent positions in the regular army that, if they had been appointed, the volunteer regiments would have been without commanders. Mr. Stanton was right, therefore, in making this stern rule against such appointments; but I know of no other man who could have withstood the pressure brought to compel him to break it."

Davison Filson of Steubenville relates this pleasant incident:

It was Mr. Stanton's habit in passing up and down the Ohio River between his office in Pittsburg and his home in Steubenville, to ride in the pilot-house where he could admire the splendid scenery. He thus became acquainted with the little daughter of the pilot on the *Diurnal*, and very fond of her. Five or six years later he was secretary of war and the pilot a private in the Army of the Cumberland. Illness and poverty brought distress to the pilot's family. The mother and children longed for a visit from the soldier, but he could secure no furlough. One day the little daughter inquired whether the man who caressed her on the steamer was the great Secretary of War who could grant furloughs. On being told that he was, she wrote a letter reminding him of their former acquaintance, reciting her mother's distress and begging for a furlough for her father. Her letter was mailed as a matter of gratification and forgotten by the family. A short time afterwards Private R ————— was summoned to headquarters by the general and shown a letter from Secretary Stanton ordering a furlough. Thus, the simple language and trust of a little child secured what no amount of political or official pressure could have accomplished—and *that* was Stanton.

Says William B. Bodine, for some time president of Kenyon College:

After one of Secretary Stanton's earliest preceptors, Dr. William Sparrow, left Kenyon, he joined the Virginia Theological Seminary at Alexandria. After the war closed, he went to Washington to enlist the Secretary's aid in regaining possession of the Seminary buildings. The Secretary

possessed the power to accomplish almost anything, and he had a heart to do all he possibly could for his beloved preceptor; but he was nevertheless scrupulously careful to take no steps beyond what the law permitted. This rugged adherence to right greatly impressed Dr. Sparrow who respected Mr. Stanton more profoundly than any other public man he ever knew.

"While now pretty much everybody of any importance in the Government service, even a chief clerk, is provided with horses, carriage, and driver at public expense," says General Robert F. Hunter of Washington, "Secretary Stanton paid for the equipage used by him in Department business out of his own pocket."

"Yes," says Major A. E. H. Johnson, "I drew Mr. Stanton's pay every month, something over six hundred dollars, and at once gave almost half of it to Irwin, his coachman, who received ten dollars a day for the constant use of two horses and a carriage. Irwin himself was in waiting either at the Department or the Secretary's residence night and day and Sundays the same; and while it seems pretty steep for a great war minister to pay half of his salary for a coachman, it was not too much for the services rendered.

"The Government should have paid this heavy bill," continued Major Johnson, "but Mr. Stanton would not ask it; he never asked any favors. I remember that Assistant-Secretary Watson ordered a caterer to bring lunches to the Secretary at times when he could not go home to luncheon, dinner, or for that matter, to sleep. The auditor held up the account for these meals, as certified by Chief Clerk John Potts, and Mr. Watson paid the bill. After that Mr. Stanton had a messenger bring luncheons from his house—if he had any; but very, very often he went without them.

"I always had Mr. Stanton indorse his pay check and then attended to his bills. I reported to Mrs. Stanton; the Secretary never would look at my account. He had no time for that. He had bigger things on hand. Mrs. Stanton had a little money," concluded Major Johnson, "and Mr. Stanton owned his house; otherwise the family could not have lived on the salary of a cabinet officer, for everything was very expensive in those days. Oh, great and intelligent as this people is, it never will half appreciate either the sacrifices or the services of that wonderful man Stanton!"

"While in the Military Telegraph service I watched Mr. Stanton with a mixture of awe and wonder," says L. A. Somers of Cleveland. "Day after day and often far into the night I was where I could feel the power of his telling blows delivered for the Union re-



OLD CAPITOL PRISON,
Washington, D. C.

Col. W. P. Wood,
Superintendent.

gardless of persons and consequences. I can say further that many of the important war telegrams ascribed to President Lincoln, and in fact appearing in the records as having been written and signed by him, were inspired and their spirit and substance furnished or they were entirely written by Mr. Stanton."

"I myself took the famous Sunday-Observance order, in Mr. Stanton's handwriting, to Lincoln, who approved it without suggesting a change, and it was issued as coming from him," says General T. M. Vincent, assistant adjutant-general. "It gained great credit for the supposed author, and is still in force. There are many other and more weighty instances of the same character* of which the world will never know. Secretary Stanton dominated everything military, and the final victory was largely his victory."

President Thomas Sweany of the Wheeling Bridge Company relates:

After Mr. Stanton had recovered from the accident to his leg which resulted from falling into a steamer hatch while taking testimony in the Wheeling Bridge Case, we met in the office of Russell and Fitzhugh in Wheeling to continue the task. I inquired about his health, in reply to which he related the circumstances and character of the accident. I retorted: "It is a pity you did not break your neck instead of your leg." He chuckled, but apparently my remark went in one ear and out the other. Years afterward, however, I learned the contrary as well as the power of his extraordinary memory. During the war the rendezvous of the army was on the island across from Wheeling. We charged for transporting the wagons but not for soldiers on foot. Going to Washington to secure a settlement, I found a large assembly in the reception room of the War Department. Mr. Stanton caught sight of me at once and called out, "What will you have, Mr. Sweany?"

"I have a toll claim against the Government," I replied.

He grasped the claim, quickly swept over it through his big spectacles, endorsed on the back of it "allowed," and, passing it to his secretary, remarked with a quizzical expression in his magnificent black eyes: "I suppose you do not now wish that my neck had been broken in that hatch while at Pittsburg." From this and my intimate knowledge of the man for forty years, I can declare that he never forgot anything that he ever knew, saw, or heard.

In November, 1862, Charles A. Dana received a telegram from Assistant-Secretary P. H. Watson, asking him to come immediately

*Major A. E. H. Johnson of Washington retains the facsimile stamp with which Stanton attached Lincoln's signature to deliverances which were technically supposed to come from the President.

to Washington. He went and was received by Mr. Stanton, who offered to him the position of assistant secretary of war. Dana said he would accept. "All right," said Stanton. "consider it settled."

On leaving the War Office Dana met a New York newspaper friend (Miles O'Reiley) and told him of the appointment, which of course was announced in all the papers the following morning. Stanton was greatly offended and at once withdrew the appointment.* He permitted information concerning the doings of the War Office to be given out by no one but himself; "yet I thought I was doing no harm in telling of my appointment," says Mr. Dana.

John C. Hesse, chief clerk in the bureau of records and pensions, who entered the War Department in 1861, says he was thrice dismissed in writing by Stanton, once under circumstances thus related in his own words:

Suddenly the Old Man [Stanton] asked for a tabular form of the exact strength of the Army of the Potomac. As usual, he wanted it *at once*. Taking two expert clerks, I divided the work off into three parts, each taking a share and pursuing the work night and day. Just at daylight the third morning the task was complete. I put the parts together and delivered them in the Secretary's office. Mr. Stanton was there—he had not been home at all during the night. Handing the papers to him I stated their contents and departed.

Two days later all the figures of this secret matter appeared in a half-secesh paper in Baltimore. The Old Man was furious. "Who prepared those papers?" he demanded of the chief clerk. On receiving an answer he grabbed an envelope and dashed across it, "Let Hesse, Wilson, and Smith be instantly dismissed."

General Townsend brought in the dismissal. I was young and fiery and exclaimed: "The Secretary can dismiss me; that's all right. But whoever accuses me of disloyalty is a liar and you please tell him so. Before General Twiggs surrendered his command to the rebels in Texas in February, 1861, I refused \$500 in gold and good pay to drill secesh soldiers, and I was a common soldier getting only \$13 a month. Then, when Twiggs surrendered, I wrapped our flag about my body and, crawling, walking, and skulking for days and weeks, brought it safely here to Washington. I have faced the enemy on the field of battle, and am ready to do it again; but no man, not even the Secretary, can accuse me of disloyalty."

General Townsend, when I had finished, told me to continue my work and then went to see the Old Man. That was the last I ever heard of that dismissal. But Mr. Stanton was all right. The North was honey-combed

*Subsequently Stanton tendered another position to Mr. Dana and eventually made him assistant secretary of war, in which office he performed services beyond price.

with disloyalty. No man could be trusted without being tested and no suspected man could be kept in the Department an instant. His position was the most difficult in history, and great as he was, his hands were full with it. I loved the Old Man and I love him yet; for night and day he was tearing away at Rebellion and finally cleaned it out, and here we are!

Although his rules regarding official telegrams, letters, orders, and documents were of the most rigid and comprehensive character, and were enforced with a rod of iron, upon officers of every grade, he himself did not always obey them. Sometimes, under the pressure of great emergencies, he seized an envelope or other scrap from the waste-basket and, with his big smearing pen, dashed off and handed out an order which changed the command of an army or took a city, and afterwards flailed his clerks because they had on file neither the original nor a copy of his paper. That is one reason why the originals of certain important military and historical documents are not and never have been on file in the Department.

An illustration of the truth of Mr. Hesse's statement is found in the following, written on a small scrap of paper, and not now on file in the Department:

May 24, 1862.

General Saxton:

You will please proceed with the troops from Washington to Harper's Ferry and operate with them according to your discretion as circumstances may require, assuming command of them.

Edwin M. Stanton,
Secretary of War.

The spring of 1864 found Stanton nearly broken down. His old friend John Harper of the Bank of Pittsburg suggested that a case of wine, unfermented and made from native Catawba grapes by Mr. Goering of Pittsburg, might be found strengthening, and on returning home, would send it. He did so, receiving this acknowledgment, dated April 16, 1864:

My Dear Friend:

I beg you to accept my grateful thanks for the wine which arrived safely; and still more for the kind words accompanying it.

I find the wine not only very agreeable to the taste, but also to have the tonic qualities you ascribe to it.

Nothing material of a public nature is going on at present. The impassable roads delay forward movements, but everything is moving favorably in the way of preparation.

If Chase gets over his panic I hope we will soon give him "military success" to financier on. If all financiers had the pluck of the Bank of Pittsburg,* Wall Street would not rampage so often.

*Extract from the minutes of the Bank of Pittsburg: "The cashier [John Harper] having stated that certain banks in Philadelphia and else-

"This wine," says Major A. E. H. Johnson, "was kept in the washstand closet in his room in the Department for some time, but he did not use it there. It was subsequently sent to his home. He was not a user of wine—it was so quick to go to his great brain."

When pressed to appoint men whose qualities he did not know, Stanton made close inquiries concerning them for the purpose of watching their weaknesses. For instance:

"Colonel Townsend [to the Adjutant-General], what do you think of Major M — for the position of —?"

"He talks too much; would not be a proper appointee."

In an hour General Townsend was surprised by receiving an order to make the appointment he had just condemned. During the following day he was again surprised by an order to discharge or suspend Major M — "instantly," accompanied by no written reason therefor. The explanation of the performance is this: There was high pressure to secure Major M —'s appointment. Stanton, having a hint from General Townsend as to the fitness of the man, made the appointment as requested, but took steps to watch the appointee; and, having found him, as Townsend said, too talkative, suspended him as by lightning-stroke without placing anything derogatory on record against him. Thus he watched and tested and dealt with everybody.

"The late Senator J. R. Doolittle of Wisconsin was a power in Congress. He demanded a certain favor from Stanton," says General T. M. Vincent. "'I can't do it,' said the Secretary. 'You can't do it?' 'No.' 'You *shall* do it,' said Doolittle. 'I never will,' answered the Secretary. 'Then I'll blow up the Department.' 'Blow it up,' replied the Secretary, not even looking up from his writing. Doolittle did not secure what he demanded and the Department was not 'blown up.'"

General Vincent also recalls this incident:

One morning about 10 o'clock Mr. Stanton said to me with more than usual abruptness: "Cummins has arrived from Philadelphia with his regiment [19th Pennsylvania Cavalry] and is at the B. and O. depot. Pay off him and his men at once and send them to Arkansas."

where had suspended specie payment, offered the following resolution, which was unanimously adopted: *Whereas*, we have heard that the other banks of Pittsburg have suspended specie payment; therefore be it **RESOLVED**, That this bank will pay specie on all its liabilities as heretofore."

I got money and a paymaster from the paymaster-general, on the Secretary's order, ordered transportation and before night the entire command had been paid and was en route, horses and all, for the West. Originally Cummins had been considered for the West, but, wishing to be stationed in the East where there was less activity, he had come on without the Secretary's order, which accounts for the summary manner in which Mr. Stanton fired him half across the continent.

That movement illustrates almost daily occurrences under Stanton, who managed his Department with less red tape than ever had been known in Government operations.

When new recruits arrived during the first half of 1862, Stanton saddled them upon Dix and other generals and sent their equivalents in drilled, veteran soldiers to McClellan. When McClellan asked for supplies, arms, and ammunition, Stanton ordered his wants to take precedence of all other demands and requisitions. When McClellan asked to have the navy cooperate with him, Stanton requested Lincoln to go in person to learn precisely what he wanted and promise it to him. When McClellan seemed likely to move toward the enemy, General Wool was ordered to care for his sick and wounded. When McClellan called for more men, other commands were looted in order to satisfy him. Lincoln and the entire administration, including the army and navy, were kept running after and waiting upon the "Little Napoleon." Why? Stanton knew the character of McClellan's advisers and of their political schemes. Besides, he was determined to furnish all the means required to whatever general was charged with capturing, or was pretending to try to capture Richmond and Jefferson Davis.

When Stanton became secretary, the fortifications about Washington were sparse and flimsy—little better than straw. He extended and strengthened them with great energy, so that by January, 1863, they were reputed to be the most extensive field works known—the Torres Vedras, which checked Napoleon in Spain, being the only possible exception. They comprised over fifty forts, innumerable rifle-pits and bomb-proofs, several magazines, and vast quantities of stores and transportation accoutrements. The garrisons, however, were always inadequate, owing to the urgent and incessant calls by McClellan, Meade, Grant, and other commanders for men in the field, which kept every resource exhausted. However, transportation facilities were amply provided so that in case of sudden danger he could quickly throw in a large army, which would find, on arrival, adequate fortifications for its shelter.

A delegation of "conservative" congressmen, headed by Charles A. Eldredge of Wisconsin, called on Lincoln in December, 1862, to discuss the "limits of the constitution." As they proposed to talk about war measures, Lincoln sent for Stanton, who dismissed the party in half a minute, thus: "The constitution can have no limits that will prevent saving the country. Constitutions cannot make countries; countries make constitutions. Save the Republic and you save everything."

The enlistment and equipment of eighty-five thousand one-hundred-day men in twenty days in the spring of 1864, was conceived by Stanton. He outlined the plan to Governor Brough of Ohio, and telegrams brought the governors of Indiana, Wisconsin, Iowa, Illinois, and Ohio to Washington, where the details for carrying it into effect were perfected in a few hours. The feat was regarded as a marvel and greatly strengthened the war sentiment of the country; but Stanton is never given credit for initiating it.

Soon after becoming secretary, he invited John W. Garrett of Baltimore, president and principal owner of the Baltimore and Ohio Railroad, to visit him. "Baltimore is largely a secession city," he said, "but it is being ruined and your railroad is being ruined by the Rebellion with which it sympathizes. Now, I will rebuild the parts of your road which may be destroyed by rebels and protect and use the line if you will throw the weight of all your influence for the Union." Garrett agreed and thereby not only saved himself and his city from many serious losses, but materially strengthened the Union cause, being joined by many of the leading business men of the city, who "discovered that secession was the hot end of the poker." Thereafter Garrett personally saw or communicated with Stanton daily till the end of the war, using his railroad and his energies and information in aid of suppressing the Rebellion. As he knew almost everybody in the South, possessed enormous resources, and was fully trusted by Stanton, his services were of great value.

The State sovereignty notions of State governors and courts which developed so many hitches, great and small, called forth this very interesting letter, dated September 14, 1864, from Stanton to J. Gregory Smith, governor of Vermont:

Sir:

In reply to your note of this date in respect to furnishing arms and accoutrements for the militia of your State, I have the honor to inform you that in the event of the Vermont legislature passing a law for the organization of the militia of that State this Department will, on your requi-

War Department
Washington City D.C.

Dec 1862

Dear Sir

The General's letter is returned herewith having been read with much interest and great admiration of his courage and patriotism. If our armies were commanded by such Generals we could not fail to have a speedy restoration of the authority of the Government and an end of the War.

I beg you to give him my warmest regards and no effort of mine will be spared to secure to the Government the fullest exercise of his abilities. With thanks for the favor I am,

Yours truly

Edwin M. Stanton

Hon John Sherman

sition, furnish immediately 15,000 stands of arms, with accoutrements complete, the arms to be of the finest quality, Springfield rifles and muskets. The necessary supplies of ordnance stores will also be furnished.

If it will not be deemed improper, I beg leave to say that, in my view, it is the duty of every State to organize and arm its militia promptly and by suitable drill and instruction prepare them for their duty as soldiers, to protect their homes and maintain the government of their choice.

Until the present Rebellion I was of those to hope there would be war no more and that mankind had become wise enough under our Government to live at peace. But when I saw the slave-holders of the South and corrupt politicians of the North plotting together to overthrow the Government of the United States and establish for themselves perpetual dominion, North and South, my mistake was revealed, and the full force of the maxim that "eternal vigilance is the price of liberty" came home to me.

I am now in favor of arming every freedman. But arms without organization are of little account. I am therefore in favor of organizing freedmen as soldiers, and when this is done rebels and traitors will not be apt to repeat their crimes. The militia of every State should be organized, trained, and instructed in the use of arms if they wish to live in peace.

Grant received his commission as lieutenant-general from Lincoln at the White House in March, 1864. At the conclusion of this ceremony Stanton said to him: "I would like to see you at the War Department." He appeared quickly. "I telegraphed for you to hurry to Washington," said Stanton, "because your presence with the Army of the Potomac is needed. Lee's menacing the capital is a constant source of anxiety. His army is the greatest power of the South. The Army of the Potomac has fought many fierce battles but really gained nothing. So long as Lee has an army we can do little more than prevent the capture of Washington, which is now, as it has been from the first, the center of the war. Lee must be fought aggressively and constantly. His army must be crushed and captured to give us peace. I wanted you to see for yourself the necessity of having your headquarters with the Army of the Potomac, and I will use all the power of the nation to give you everything you want and all the men you can fight."

"I will see General Meade in the morning; go West and put the armies under commanders and return," was all Grant said in reply.

"General Grant's manner was very simple," says Major A. E. H. Johnson, who took notes of the interview. "He did not wish to come to the Potomac; had not intended to do so and had been advised by Sherman to keep away, but his obedience was prompt and complete. That oral request was all the order he ever received and it was the beginning of the end of the war."

Stanton had taken Grant's measure and a fortnight later issued the order which made him general-in-chief, absolute master, under the President, of all the armies of the Union.

When he desired to inaugurate a new feature of importance Stanton secretly sent out one or more trusted agents to investigate and report. T. A. Scott reported upon the conditions in Tennessee before Andrew Johnson was appointed military governor of that State, and Anson Stager, Herman Haupt, C. A. Dana, General Meigs, P. H. Watson, and several others in whom he had confidence, were frequently sent to the front on missions not stated nor ever reported upon in writing. In this way he was able to measure in advance the probable results of his plans; and not one of importance miscarried.

"There are fundamental defects in the mental processes of many of our generals," Stanton said to the Committee on the Conduct of the War, when called upon for reasons for refusing to make certain promotions. "They are permeated with the ancient notions of war, born of the day when women bore all the burdens and performed all the labor and the men did nothing but fight. They seem unable to realize that this is a Republic, in which the people are above generals, instead of generals above the people. Some recover from their perverted notions, but many never do, and I cannot consent to the promotion of those who do not. Men who think the country worth nothing except to furnish army officers with just what they want, are unfit for military commands."

"Secretary Stanton did not have complete confidence as commanders in the West Pointers who had served in the engineer corps," says General Robert F. Hunter of Washington, "and with good reason. They relied too much on the pick and spade and too little on the sword and gun. They were always wanting to throw up intrenchments. They tended more to circumvallation than circumvention. They wanted to wall themselves in and wait for the enemy. Naturally that exasperated an aggressive man like Stanton. They were strategists rather than tacticians. The former can get their forces advantageously to a given point while the latter can handle their armies successfully on the actual field of battle. The former may escape disastrous defeats, but it is the latter who win the decisive victories. Stanton was looking for victory, and he did not care whether the leaders who gave it to him came from West Point or the pine forests of the wild and woolly West."

In August, 1864, J. S. Black visited Jacob Thompson, who had been a member of Buchanan's cabinet with Stanton and was now insurgent agent in Canada, intimating that he represented Stanton in negotiating for an armistice of three or six months. On returning from the interview Black wrote to Stanton suggesting that he advise the declaration of an armistice for the purpose of beginning "negotiations in earnest," unless Lincoln "had made up his mind to fight it out on the emancipation issue." Stanton wrote to Black denying his assumption of authority, refusing to give advice in favor of an armistice and closing thus: "The upshot of it is that you go in for an armistice, which is nothing more or less than South Carolina wanted when the Rebellion began. You and I opposed it then as fatal to our Government and our national existence; I still oppose it on the same ground."

Lincoln authorized recruiting among insurgent prisoners without consulting Stanton. The plan, when it came to the notice of Grant and the public, met with decided protests and Stanton was roundly denounced for inaugurating it. On September 22, 1864, Lincoln sent a telegram to Grant saying that sort of thing would go no further and concluding: "The Secretary of War is wholly free from any part in this blunder." The press, in ignorance of Lincoln's telegram, continued to blame Stanton, which illustrates the circumstances surrounding nearly every act for which the Secretary was criticized. Somebody else was responsible, but he never disclosed who that somebody was in order to exculpate himself.

To his first call for tenders of water transports for the army, in February, 1862, he added this clause: "No speculative proposition will be received, nor propositions from persons not now in possession or having control of the required means of transportation." This prevented mere speculators from securing contracts to be sold or sublet to others and eliminated scandals which for some time had been disturbing the public.

During the opening months of the war soldiers were paid in coin, some of which was captured by the insurgent raiders, while much of the remainder, being expended by the men in the field, found its way into the Confederate coffers, to that extent weakening the Union and strengthening the Rebellion. Stanton, seeing that this was undermining the Government, prepared a brief which was approved by John Andrews, the noted banker and financier of Columbus, Ohio, advising Secretary Chase to begin the issue of paper

money before the gold in the Treasury had been exhausted, as otherwise notes, having no specific foundation of redemption, would depreciate almost to the point of worthlessness. Subsequent experience proved the correctness of his judgment.

In January, 1865, he visited Savannah to investigate the negro and cotton problems. Besides making a personal survey of the new situation in which the war had placed the colored people, he wished to learn their hopes and wants from their own lips. Having given a public audience to them, he selected twenty representatives from the mass present and laboriously wrote down the testimony given by each, unabridged, putting numerous questions intended to bring out fuller expressions upon the more perplexing features of the important subject. General Townsend offered to procure the services of a clerk, or to do the writing himself, but Stanton replied that if he made the record with his own hand he "would be sure that nothing had been lost or discolored"—a characteristic of every important step of his official life.

In offering a great reward for the capture of the assassin of Lincoln and his conspirators in that crime, Stanton did not include a price for apprehending Jefferson Davis, although possessing an ampler knowledge of the ramifications of the conspiracy than any other man. Therefore President Johnson proclaimed a reward of one hundred thousand dollars for the apprehension of the fleeing head of the Confederacy. Under this stimulation Davis was captured on May 10, 1865, at Laurens, Georgia, by soldiers from Wisconsin and Michigan, and confined at Fortress Monroe. When Stanton* learned that the prisoner had been placed in irons, he or-

*For years Stanton was bitterly hated in the South because of the unfounded belief that he caused Jefferson Davis to be placed in irons. The order to manacle Davis is in the hand of Charles A. Dana, who was at Fortress Monroe when the noted prisoner arrived there, as follows:

"Fortress Monroe, May 22, 1865.

"Brevet-Major-General Miles is hereby authorized and directed to place manacles and fetters on the hands and feet of Jefferson Davis and Clement C. Clay, jr., whenever he may think it advisable in order to render their imprisonment more secure.

C. A. Dana,

"By order of the Secretary of War.

Assistant Secretary of War."

The records connect Stanton with the affair in no way except by the order to unshackle the prisoner. However, Mr. Dana states that the Secretary feared that Davis might commit suicide if given an opportunity, and declared that such an opportunity must not be permitted.

dered an immediate delivery from that indignity and gave instructions which resulted in making the captive as comfortable as possible under the circumstances. Immediately afterwards, in the District of Columbia, Davis was indicted for treason and "inciting the assassination of Abraham Lincoln and murdering Union prisoners of war by starvation and other barbarous and cruel treatment." In October the President asked Chief Justice Chase when he would hold a term of court in Virginia for the trial of Davis. Chase replied that no court would be held while martial law prevailed in his circuit. In May, 1866, Davis was indicted for treason by a Virginia grand jury sitting at Norfolk, and, although Stanton advised against it, the prisoner was turned over to the civil authorities and, in May, 1867, bailed out by Horace Greeley and others in the sum of one hundred thousand dollars. In November, 1868, President Johnson having joined Chief Justice Chase in opposing a trial, a *nolle prosequi* was entered and the prisoner discharged. Stanton wanted Davis, when first arrested, tried at once, in a fair and dignified manner. He was opposed, however, by Chief Justice Chase and later by President Johnson, both of whom were manœuvring for the presidency. Stanton never thought of the presidency or anything else but his country while discharging his public duties.

Colonel A. S. Worthington of Washington, who entered the army as a mere boy at Steubenville, Ohio, had his right leg shot off, and was in a hospital at Nashville perishing of gangrene. His mother arrived and engaged a physician who removed the boy to a private house. This enraged the hospital surgeon, who, regarding the removal as a reflection on himself, ordered the patient returned. "Send word to father," said the boy, and the physician telegraphed the facts as directed. Instantly D. B. Worthington, the father, telegraphed from Steubenville to Stanton, and within three hours the hospital surgeon received this from Stanton: "Let young Worthington remain where his mother has placed him." By a miracle the boy recovered. Later he went to Washington to thank Stanton for the intercession which saved his life. Stanton replied: "Yes, I love to lay a heavy hand on those fellows when they need it."

"You are too arbitrary," exclaimed Governor Andrew Curtin of Pennsylvania, after he had failed to swerve the Secretary. "I am not arbitrary enough," was the rejoinder. "War is arbitrary and

cannot be managed except by such arbitrary rules as will prevent interference by men like yourself."

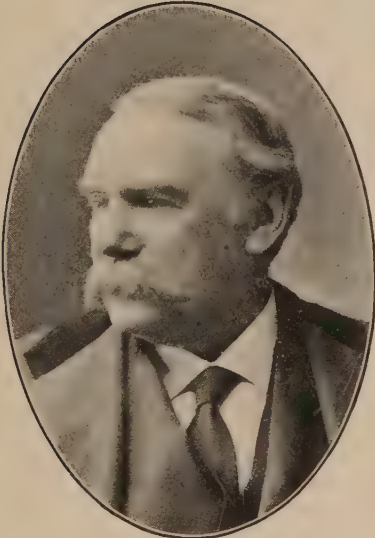
Whenever a man was proposed for an important command Stanton investigated not only his personal record, but that of his family. Thus, when Grant recommended a certain general to command the Department of West Virginia, Stanton was able to telegraph: "General —— has a young wife in Baltimore and of course family connections"—meaning connections not in sympathy with the Government, a fact not known to Grant. The appointment was not made.

Soon after General John C. Fremont was appointed to the Mountain Department at Wheeling, he wrote to Stanton asking to be relieved because Pope, who did not rank him, had been put over him, and to serve under Pope, he said, would "reduce his rank and consideration." Within eight minutes the relief order was written and contained a repetition of Fremont's own words as the reason for its issue, thus making the record show forever that personal "rank and consideration" and not the welfare of the nation was the controlling motive of one of his commanders.

Several times those who felt that Stanton was managing the War Department with too little regard for individual interests and ambitions, inaugurated movements to secure his retirement. In December, 1862, a rumor that he was about to resign brought protests from all the loyal governors. To Governor Morton he telegraphed on December 23: "I shall never desert my post. Of this you may be sure." Morton telegraphed the reply to the other governors.

General J. M. Schofield's recent admirable work ("Forty-Six Years in the Army") handles Stanton very gingerly. The War Office archives disclose one reason for so doing: When Schofield seized the hospital boat *Spalding* for his own personal quarters, Stanton took the craft away by a curt order and reported the affair to Grant as a reprehensible irregularity and a justification for not promoting Schofield as Grant had recommended. Some such reason might be found for every hostile expression which has been put upon record against Stanton.

Captain J. B. Corey, head of the Corey Coal Company of Pittsburgh, throws this light on Stanton's removal of General B. F. Butler from the command of New Orleans:



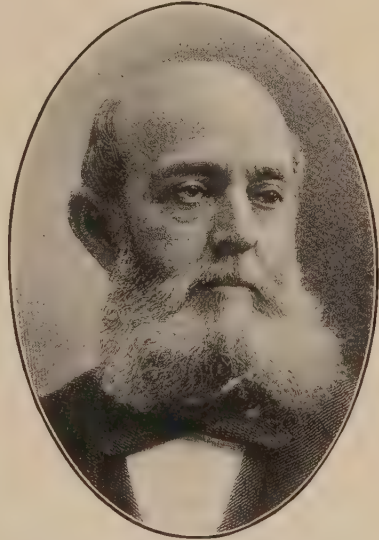
JOHN FRANCIS COYLE.



WARD H. LAMON.
(Lincoln's Law-Partner.)



JAMES B. COREY.



CAPT. CHARLES W. BATCHELLER.

The firm of J. B. Corey and Company of Pittsburg arrived in New Orleans with several large cargoes of coal which had been exchanged for sugar for the Pennsylvania and Ohio markets just as Louisiana seceded from the Union. The coal was at New Orleans, but the sugar was at St. Mary's plantation, on so-called neutral ground.

The Confederate Government confiscated not only this coal but all coal belonging to Northern men and impressed Peterson, a strong Union man and a member of our firm, to take charge of it. He issued coal on Confederate requisitions from other cargoes, finally getting ours ashore.

At this moment Admiral Farragut and General Butler captured New Orleans, and the latter began at once to issue requisitions on Corey and Company's coal, which were filled, Peterson having disobeyed the order of the retreating Confederates to burn it.

We explained the entire situation to General Butler and asked for protection to get off our sugar, for sugar was scarce and dear and needed in the North. Butler refused, but two days later Colonel Butler, the general's brother, privately informed Corey and Company that he would secure a convoy for the sugar if given every third barrel—the entire cargo being worth \$300,000.

Corey and Company said they would consult the home office at Pittsburg. On second thought J. H. Peterson and myself proceeded rapidly to Washington to lay the matter before Mr. Stanton.

We arrived at the War Department on October 4, 1862, just as Secretary Stanton's daily levee to the public opened. The room was crowded with black and white, high and low, rich and poor, soldiers and civilians. I had known something of Mr. Stanton in Pittsburg, and was aware that he was a very able man; but I was more than astonished at the manner in which he disposed of the various claims of that motley crowd. Many matters were decided before the orators were half through telling what they wanted, and the one or two questions that he asked now and then invariably exposed the vital portion—frequently the fatal weakness—of the case.

When my turn came he glared at me as if to look me through and through and discover whether my brain held any dishonorable motives or scheme in hiding. I began to relate General Butler's requirements when he exclaimed: "I have heard of something of that sort before; be seated; I wish to question you."

I stepped aside for others and, later that day, Mr. Peterson and myself were driven with Secretary Stanton to his residence, where we explained our situation, reinforced by documentary evidence.

That was not enough. He wanted to know all about General Butler's administration, saying both Lincoln and himself had received a large number of complaints. I replied that we did not wish to refer to anything beyond our own case, because we had everything tied up at New Orleans and were completely at the mercy of General Butler.

He replied that we should have protection; and then Mr. Peterson, who had been held in New Orleans over a year, answered fully and truthfully. Mr. Stanton asked particularly concerning General Butler's order prohibit-

ing the sale of liquors in New Orleans, and its suspension after Colonel Butler, his brother, had bought up all the whiskey in the city and brought a fresh cargo to the wharf, all of which sold at an enormous profit.

At the conclusion of our story, Secretary Stanton requested us to come to the office next day. We obeyed and received an order on General Butler for our sugar. As we were about to leave, I again said to Mr. Stanton that, in view of the paper we had obtained, the information we had given would work the ruin of our company if the facts should come to General Butler's knowledge, to which he quickly replied:

"Have no fear. Just as soon as a competent successor can be found I shall remove General Butler; and in the meantime apply to me for any protection needed and it will be forthcoming."

Of course we secured our sugar on Mr. Stanton's order and General Butler was removed on the direct information furnished by our firm—a fact not found in the histories.

When, subsequently, Lincoln essayed to restore Butler to the New Orleans command, the opposition was so sharp that he assigned him to Fortress Monroe, from which position Stanton ultimately removed him on the request of Grant, who declared in writing that his "administration is objectionable." In 1865 Stanton refused to appoint George F. Shepley military governor of Virginia because he "had been connected with Butler's administration in New Orleans." However, there never was the slightest break in the old friendship between Stanton and Butler. The suspensions or removals mentioned, notwithstanding Butler's great services to the country and the warm personal regard subsisting between the two, were simply unavoidable.

Major A. E. H. Johnson, Stanton's confidential clerk from the beginning to the end of the Rebellion, contributes these entirely characteristic anecdotes:

In receiving a committee of mercy in behalf of Mrs. Surratt, sentenced to be hanged for the assassination of Mr. Lincoln, Mr. Stanton observed Dr. A., a surgeon in the United States army. Looking at him fiercely, Stanton said: "You had better take off those epaulettes; they are not an honor to you on this occasion." This was a wet blanket to the committee, who soon withdrew in confusion.

When Adjutant-General Thomas came to serve President Johnson's order removing Mr. Stanton, he brought as a witness General Williams, recently married to the beautiful widow of the late Stephen A. Douglas. As soon as the order had been read, Mr. Stanton said: "General Williams, I am not surprised at the coming of General Thomas, but I am surprised to see you abetting him. Your presence, for the purpose for which you come, is an affront to your superior and unbecoming an officer of the army of the United

States. I order you to your room." General Williams had not been advised of the purpose to be served by his presence, and left the room at once.

The achievements of General Stoneman's great cavalry force in Virginia were not satisfactory to Stanton, and on several occasions he called Stoneman to the Department for a severe talk. His face was thin and he looked as if he needed rest, sleep, and medicine. While waiting in the big room adjoining to see the Secretary, he fainted and fell to the floor. Surgeon-General Barnes, who was present, instantly took charge of the General and revived him. Mr. Stanton came quickly, and addressing the prostrate officer, kindly bade him take some rest, and instructed General Barnes to attend him. If Mr. Stanton intended any harsh arraignment, he was disconcerted and softened by the incident, and merely said that he would see the General when he was better; but the General never came again. I always thought that he fainted in contemplation of the purpose of the stern Secretary.

At midnight of the first day's battle at Gettysburg, Lincoln came into the Secretary's room looking heart-broken. The secretary of the Philadelphia Woman's Relief Corps, who was present on business, had been telling about the incompetence of which she knew and heard much in the army of McClellan, when Stanton asked her to repeat it to the President, who replied: "My great mistake was in allowing General McClellan to hug Washington a whole year."

Senator J. B. Henderson of Missouri sought the pardon of a Confederate who had been sentenced to death as a spy. It was the case of two brothers—one in the Union army with Grant, the other a Confederate soldier—fighting in Missouri. Mr. Stanton investigated the story told by Senator Henderson and advised him that the soldier had been found guilty as a spy, and must die according to the laws of war. The senator, who had been sent to the Secretary by Lincoln, returned to the President, who indorsed the papers with an order for a new trial. At the second trial the spy was again sentenced to be shot and the senator again brought the case to the Secretary, who was as inexorable as before.

Upon the grounds that the war was practically over (Richmond, I think had just surrendered) Senator Henderson obtained a third trial, through the leniency of the President, which again resulted in a verdict of death. A third time the senator was sent to the Secretary by the President, with the plea that the war was over and that the man ought not to be shot, but Mr. Stanton would do nothing. The verdict of a court-martial levying the death sentence on a spy for the third time, he said, should never be set aside. I afterwards heard that the President, before he was assassinated, pardoned the spy. The tender-hearted President would not have a court-martial death sentence carried out, and my impression is that for this reason Congress by an act took the power of interference away from him.

Colonel Payton was recruiting his regiment in Philadelphia, but in the time allowed could not complete the quota and asked for an extension of thirty days. Governor Curtin and other prominent Pennsylvanians joined in the recommendation, on which Lincoln made the following endorsement: "Allow Colonel Payton the additional time required, unless there be reason to the contrary unknown to me." Under these words Secretary Stanton en-

dorsed: "There is good and valid reason for not extending the time and the Secretary of War refuses to do it." In every refusal to execute endorsements of this kind by the President Mr. Stanton was in the right.

A senator came from the President with papers asking for the removal of the charge of desertion against a private soldier. Of all things, a deserter was the most repugnant to the Secretary, and with a motion of his hand he refused to receive the paper, and said impatiently: "This is the case of a deserter, is it? I want nothing to do with it. We have too many of that kind. We had better make a few examples by shooting a deserter now and then." The senator was visibly angry, and said he would take the case back to the President. He returned later with an order from the President for the removal of the charge of desertion, but Stanton refused to execute it. Thereupon the senator quickly left, but Mr. Stanton called him back and directed the adjutant-general to execute the order, at the same time saying to the senator: "The President's kindness to the private soldier under whatever charge, is bad; no commander could afford to exercise it." The senator said he would get the President's order to amend the record and place the soldier right on the rolls, to which Mr. Stanton rejoined with irritation: "Go to the President, if you please, for I will not consider the case, nor will I execute the order." The President's order was executed by the adjutant-general without Mr. Stanton's approval, and probably without a substantial base of justice.

Mr. Stanton was always looking out for cases of conspicuous bravery in battle that he might instantly make suitable recognition by promotion. Such acts gave him special pleasure in cases of volunteers, for the reputation of West Point was at a very low ebb in the purer teachings of patriotism. It was the boast of Jefferson Davis that he had the pick of the officers of our army, and he did carry with him into the Confederate service sixty-four West Point generals. This fact and the declaration of Davis tainted the whole regular army. In order to offset it, Mr. Stanton made promotions for personal bravery and meritorious conduct in hundreds of cases without waiting for the recommendations of the commanding generals.

In the case of General Robert C. Schenck, who fell fighting at the head of his division in the second battle of Bull Run, in 1862, Mr. Stanton sent a promotion to be major-general, with the following letter, which I delivered in person at Willard's Hotel:

"My Dear Sir:—No official act has been performed by me with more pleasure than the just tribute to your ability and patriotism, conveyed by the enclosed appointment to the rank of major-general for gallant and meritorious service to your country. I hope your health may soon permit you to accept a command befitting your rank. My regret for the painful suffering you now endure from the wound received on the field of battle is enhanced by the need the Government has at this moment for your services."

This letter, to one who entered the service without military experience, was intended by Mr. Stanton to show that brains and patriotism could replace the losses suffered at West Point.

The printed acts of Congress relating to the war came to the Secretary, but he never called for one. He knew them because he had drafted or inspired practically every one, and in the reception room he showed his complete knowledge of the laws which bore upon each matter presented to him.

His desk was always full of papers in confusion, and the accumulated letters I kept unfolded in boxes of letter size upon a high table about twelve feet long. I could put my hand upon any letter he wanted; he himself never looked for one. He rarely answered any of the personal letters sent to or left with him. Sometimes he dictated answers and then did not send them. Nearly all his writing was confined to military matters, mostly telegrams, and in writing and sending these he seemed to take special pleasure.

Mr. Stanton's love for Democratic governors was very marked. They were his greatest hope for troops, and some of them gave him more than he asked. This was particularly true of Governor Brough of Ohio, to whom he was specially devoted.

At the ceremony, which was private, of swearing in Andrew Johnson as president, immediately after President Lincoln's death, Stanton observed two unbidden guests—his two bitterest foes—Francis P. Blair, sr., and Montgomery Blair, the latter the postmaster-general dismissed from the cabinet by Lincoln during the previous September. As Stanton personally gave all the orders and directions relative to the ceremony, the presence of his two most relentless enemies gave him no little concern. He could not imagine how they got there.

At that solemn moment, having taken his oath, the new President said: "I am deeply impressed with the solemnity of the occasion and the responsibility of the office I am assuming. Its duties are mine; I will perform them; the consequences are with God. Gentlemen, I shall lean upon you: I feel that I shall need your support."

It is a singular fact that of the twelve persons including the entire cabinet save Seward, the two uninvited Blairs were the only ones selected by President Johnson to "lean upon." Instead of supporting him, the Blairs knocked the support from under him and nearly threw the country into another war. Their presence seemed prophetic, and in the distance they must have seen the fulfillment of plans conceived by them, when, at the second inauguration of Lincoln, they took Vice-President Johnson from the Senate chamber to their home at Silver Springs, Maryland, in a deplorable condition.

I never knew Mr. Stanton to appoint any relative to office except his brother-in-law [C. P. Wolcott] to be assistant secretary. The Secretary's own son, Edwin L., coming from Kenyon College without a cent, for some time acted as clerk to Assistant-Secretary Eckert without pay, but General Eckert finally appointed him to the clerkship which his father would not grant.

Mr. Stanton never read newspapers in his office, and none were furnished to him. He often locked himself in his room and, for an hour's rest upon the sofa, read Littell's *Living Age*.

Mr. Stanton directed me to order certain English magazines—the *Edinburgh Quarterly*, and *Westminster Reviews*. These magazines and the English press were open partisans of the Confederacy. They predicted that the Union could not be preserved and that the peace of Europe would be safer with two or three or even more Republics on the North American continent in place of one. He read these predictions to the senators and representatives and especially a prophecy by Bulwer Lytton that soon there would be seen “not two but four separate and sovereign commonwealths arising out of those populations which a year ago united their legislation under one president and carried their merchandise under one flag.”

I have heard Mr. Stanton say that the treatment of our troubles by the English rang constantly in his ears and put upon him an increased determination to bring out the full power of the Government to save the Union.

He always believed that ultimately the Union would be saved. His first declaration was before the Supreme Court in January, 1861. Some matter was pending in the celebrated Gaines case which looked forward to action by the court the next summer. “That will be impossible,” said Caleb Cushing, opposing counsel, “because this nation and this court will not then be in existence!” The justices stared at each other in amazement. Mr. Stanton sprang to his feet, and, glaring at Cushing, exclaimed: “This court and this Union will endure until long after all knowledge of those now in this august presence has passed into oblivion!” After a few moments of profound silence court suddenly adjourned. From that moment Mr. Stanton was the great, originating, controlling, and saving power of the Government.

While the country was paying court to General Adam Badeau on account of his relations with Grant, Stanton never noticed him. Badeau wrote to me for copies of certain telegrams from General Halleck alleging the drunkenness of Grant at the battle of Shiloh, but Stanton told me to pay no attention to it and I obeyed, though I might have written that those messages were not then on file. Badeau disliked Stanton very much and so did every other member of Grant’s staff, for he paid no attention whatever to them. Of course they attempted to poison Grant against Stanton and to some extent succeeded, and they have ever since attempted to poison history.

Grant came very seldom to the Department to see Mr. Stanton, after the war closed, and generally never stayed more than a few minutes. Mr. Stanton very seldom sent for him, and so far as I can recall, always despatched the colored messenger [Madison] which made all at Grant’s headquarters mad, for no doubt the message was delivered as it was sent: “Tell General Grant to come over here.” In the same way Mr. Stanton sent me to Secretaries Seward, Chase, and others. Although I delivered a polite request, I could see they did not like it, *but they always came*.

Henry L. Dawes tells frankly how, with others equally prominent and trusted, he once was led to impose upon Lincoln, but was unable, though armed with one of the most circumstantially complete cases presented, to hoodwink Stanton.

A quartermaster from Massachusetts had been caught by Stanton's agents gambling with public funds and was sentenced to the penitentiary for five years. Soon afterward Dawes received a long petition indorsed by the prison physicians and other medical authority, stating that the culprit's health was broken and that he must be pardoned soon or die imprisoned. Lincoln on receiving the petition asked Dawes if he believed the statements therein contained. He did, and so stated on the back of the paper, and Lincoln ordered the man to be pardoned. Stanton refused to execute the order and informed Lincoln that the petition was a sham and the prisoner one of the worst rascals in the country. In due time, however, Dawes succeeded in inducing Lincoln to send the pardon over Stanton's head in order to prevent a man from dying in prison. A few days later Dawes returned to Massachusetts and, he says, almost the first man he met, hale and robust and cheery was the thieving quartermaster who had been pardoned over Stanton's protest because he was "dying"!

The son of a man who had befriended Lincoln in the days of his poverty, desired a certain army appointment. Congressmen Julian of Indiana and Lovejoy of Illinois went to Lincoln, who indorsed the application and sent them with it to Stanton.

"No," said the Secretary.

"Let us give his qualifications," suggested the Congressmen.

"I do not wish to hear them," was the reply. "The position is of high importance. I have in mind a man of suitable experience and capacity to fill it."

"But the President wishes this man to be appointed," persisted the callers.

"I do not care what the President wants; the country wants the very best it can get. I am serving the country," was the retort, "regardless of individuals."

The disconcerted Congressmen returned to Lincoln and recited their experience. The President, without the slightest perturbation, said:

Gentlemen, it is my duty to submit. I cannot add to Mr. Stanton's troubles. His position is one of the most difficult in the world. Thousands in the army blame him because they are not promoted and other thousands out of the army blame him because they are not appointed. The pressure upon him is immeasurable and unending. He is the rock on the beach of our national ocean against which the breakers dash and roar, dash and

roar without ceasing. He fights back the angry waters and prevents them from undermining and overwhelming the land. Gentlemen, I do not see how he survives, why he is not crushed and torn to pieces. Without him I should be destroyed. He performs his task superhumanly. Now do not mind this matter, for Mr. Stanton is right and I cannot wrongly interfere with him.

Colonel William P. Wood, superintendent of the Old Capitol and Carroll prisons in Washington during the Rebellion, was sent by Stanton to learn accurately about English officers who were alleged to be in active command in the Confederate armies. Dressed as a North Carolina insurgent, through the aid of Mrs. Greenhow of Richmond, he became acquainted with two such officers and played cards with them several nights, learning their commands, viewing their papers, and unearthing their purposes. Much elated, he returned with these facts to Stanton, who exclaimed vehemently:

"Where are the *men*? Why didn't you bring the men? *Why didn't you bring them?*"

"That was Stanton," says Colonel Wood. "I nearly lost my neck in carrying out his perilous instructions, and succeeded in securing the information wanted, but that was nothing; he was determined to have those British officers who were fighting the United States taken *in flagrante delictu* and brought bodily to his office with British papers in the pockets of their Confederate uniforms and was in high dudgeon because I had not done it. That was impossible, but Mr. Stanton hardly regarded anything as impossible. He acted on that theory not less with himself than with his trusted agents, who filled the bill as best they could at any hazard. No man serving with him dared to fail."

John C. Hesse, chief clerk of the Bureau of Records and Pensions, says that one reason why many important orders and documents of the Rebellion period are missing from the files of the War Department is that Stanton often penned them in haste on stray scraps of paper and handed them personally to the officers who were to obey or execute them. Another reason is that during the war, owing to the great pressure of business and a shortage of clerks, large numbers of original papers were sent to the public printer as "copy" and that individual, having cut them into "takes," burned or sold them as waste after they had been put in type.

CHAPTER LXIV.

RELIGION AS A WAR FORCE.

Stanton habitually invoked divine favor in behalf of his generals and their armies and thanked God for their many victories. His bulletin of April 9, 1862, which closed with decisive thanks and praise to Generals Halleck, Grant, Pope, Curtis, and Sigel for their gallant conduct at the bloody battles of Pea Ridge, Pittsburg Landing, and Island No. 10, *Ordered:*

That at meridian of the Sunday next after the receipt of this order, at the head of every regiment of the armies of the United States, there shall be offered by its chaplain a prayer giving thanks to the Lord of Hosts for the recent manifestations of His power in the overthrow of rebels and traitors, and invoking a continuance of His aid in delivering this nation by its army of patriotic soldiers from the horrors of rebellion, treason, and civil war.

At night of the first day's battle of Gettysburg, Mrs. John Harris, secretary to the Philadelphia Woman's Relief Corps, came to ask for a permit to carry supplies for use on the battle-field. "He told her not to go," says Major A. E. H. Johnson, "because within twenty-four or even twelve hours Lee might be marching against the city. So great was his feeling that he wept as he suggested that she return at midnight, when he might have more reassuring news. Before her departure he prayed, for he possessed an almost superstitious sense of human dependence upon an incessant and direct intervention of divine power."

He never ceased to implore the aid of the great religious bodies of the country in behalf of the Union and kept closely in touch with their leaders and divines. He gave Dr. Heman Dyer of New York views of the McClellan imbroglio which were communicated to no one else, and consulted frequently with Henry Ward Beecher, Henry W. Bellows, Archbishop John Hughes, and Theodore Tilton of New York; Bishop Matthew Simpson of Philadelphia; Archbishop Purcell of Cincinnati; Bishop E. R. Ames of Baltimore;

Bishop M. J. Spalding of Louisville and Baltimore; Dr. C. W. Hall, the Reverend T. A. Starkey, and the Reverend Byron Sunderland of Washington, and many others, and also kept them privately informed concerning the war. When he was aware of favorable military news, he found a way to communicate it to certain ministers of the gosepl who gave it to their congregations from the pulpit and thus cheered, strengthened, and sustained the community.

His first civil appointment was that of Bishop E. R. Ames of Baltimore to look after captives held in Southern prisons. He appointed Dr. Heman Dyer's son, who was terribly wounded in battle, to be paymaster; he gave to Bishop Simpson's son a good army position in Pennsylvania; he assiduously looked after the welfare of other divines and repeatedly offered honorable appointments to them. A letter by Bishop Simpson to his family, written at Washington, January 20, 1863, bears interestingly on this point:

I preached Sunday at Foundry church. Crowded house. Secretary Stanton and his wife were in front, on chairs; President Lincoln in the altar. The President made by contribution a life member; collection \$770. Secretary Stanton sent for me; was about telegraphing to Evanston. Wished me to be chairman of a commission to visit Fortress Monroe, Port Royal, and New Orleans to examine the condition of the colored people and make suggestions. He wanted three public men apart from politics. He offered transportation, assistance, a clerk, and fair compensation. I have, however, declined every such proposition.

During the fearful draft riots in New York City in July, 1863, Stanton (by special messenger) invited Archbishop John Hughes, the most original, influential, and powerful Catholic in America, to visit him in Washington. On returning to New York his eminence, who had been Stanton's friend and an aggressive supporter of the Union from the first, called a meeting at his residence to devise means of suppressing the *emeute*, and appealed to the clergy and laity throughout the country (for there were riots almost everywhere) to support the Government and discountenance resistance. He made his last public address at this time, and by his personal activity, aided more, perhaps, than any other individual to permanently neutralize the prevailing distemper.

In November, 1863, Stanton issued an order placing all the Methodist church edifices in the South which were without loyal pastors, under control of Bishop Ames, provided their pulpits should be filled by persons who could be relied upon to support the Gov-

ernment. The trust was accepted; money was set aside by the church to carry it out and the Union cause was thereby greatly strengthened by an independent force which required no pay or attention from the War Department.

In January, 1865, Stanton made a trip on the *Spalding* to Savannah to consult with General W. T. Sherman concerning the negro and cotton problems. At the usual church hour on Sunday, in mid-ocean, he called those on board about him and held Episcopal services, reading from the Bible and pronouncing a sermon explanatory of certain passages bearing upon the war. "His remarks were very clear and able," says General E. D. Townsend, who was present, "and at the conclusion he prayed fervently for the success of the Union arms and the restoration of peace and brotherly feeling between the sections."

That Stanton entertained no crude or insincere conception of the value of the aid contributed by the leaders of the churches is shown by the following letter:

Washington City, November 24, 1866.

General:

It gives me pleasure to introduce to you the Reverend Matthew Simpson, Bishop of the Methodist Episcopal Church, who visits New Orleans and perhaps will go to Texas to hold a conference. He is accompanied by his son who is in ill health.

Bishop Simpson is no doubt known to you as one of the most eloquent, learned, and patriotic men of our country and age. No one during the war did so much to encourage and strengthen loyal and patriotic sentiments and to sustain the army by appeals to the benevolence of the people.

I commend him and his son to your kindest attention and courtesy, believing that you will take pleasure in contributing to their comfort by any means in your power. If the Bishop should go to Texas, I request you to give him such letters to officers in your command as may be of service and protection to him there.

With sincere regard, I am,

Truly yours,

Major-General Sheridan,
Commanding, New Orleans.

Edwin M. Stanton,
Secretary of War.

While imprisoned in the War Department during the contest with President Johnson, Stanton sent for Bishop Simpson. He wanted to know whether the God-fearing portion of the people endorsed his course; and, if not, what they thought he ought to do. On being told that the loyal and Christian masses approved his attitude fully and hoped he would never surrender, he seemed much

gratified and requested the Bishop to pray,* the hour being 2 o'clock in the morning. A few days later he wrote tenderly as follows to the good bishop who had lost a son:

Washington City, March 26, 1868.

My Dear Friend:

I sympathize deeply with you and your family in the recent dispensation of Providence that has brought mourning to your household. The bereavement, however certain and long expected, falls not less heavily when a loved one is called from earth to mansions in the sky.

To you I will not presume to offer consolation, for you know better than I whence it can come; but I hope it will not be regarded intrusive for me to ask to share your sorrow. With sincere affection,

Truly your friend,

The Reverend Bishop Simpson.

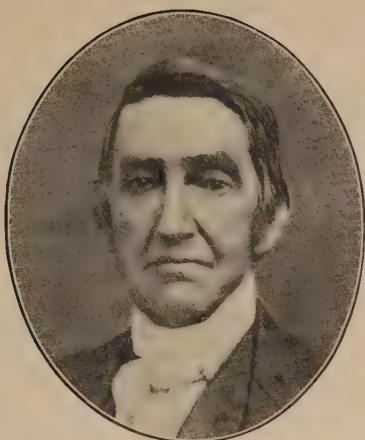
Edwin M. Stanton.

Stanton did not confine the use of religion as a war measure to the activities of others, but was himself a believer in faith and prayer. "I know that frequently during the war," says the Reverend John P. Newman, "Secretary Stanton retired to a private room in the War Department and prayed for his country."

"More than half a dozen times when calling on Secretary Stanton in the War Department," says the Reverend Charles W. Hall, "he led me into his private office and invited me to pray—'Pray for Mr. Lincoln, pray for the country, pray for our armies and their commanders, and pray for me.' His religion got nothing from rituals or church forms. It was not emotional or spasmodic, but a deep conviction of right-thinking and right-doing which included love of country and an abiding resolve to make any required sacrifices in its behalf."

On March 30, 1869, he received the sacrament of baptism from his old friend the Reverend William Sparrow (who, as professor in Kenyon College in 1832, was the guide and counselor of his youth) in the presence of General E. Shriver, General E. D. Townsend, General M. C. Meigs, and several other army officers and friends who had been invited.

*Says Miss S. Elizabeth Simpson of Philadelphia: "My father and Secretary Stanton were very intimate and very frequently consulted on important topics. No matter how great the pressure, the Secretary's room was always open to my father. I have heard him say that when calling at the War Department during the more anxious days, Mr. Stanton would lead him by the arm into the private office and say, 'Now, Bishop, pray.'"



REV. GEORGE BUCHANAN.



BISHOP MATTHEW SIMPSON.



SHERLOCK A. BRONSON, D. D.



REV. JOSEPH BUCHANAN.



REV. THEODORE D. WELD.



BISHOP HEMAN DYER.

"He was to have been confirmed at the next coming of the Bishop," says the Reverend T. A. Starkey, "and I should have presented him for that second rite, considering him spiritually prepared to receive it,* but he died before the Bishop arrived. I was at his bedside engaged in spiritual duties for three hours before his death, which he approached without fear, his great work being finished and his heart ready."

*Although he left Steubenville more than twenty years before his death, he regularly paid pew rental in several churches in that city; gave money to building and parsonage funds, and at one time was a trustee and attorney of the Church of the Disciples. He was for years a pew-holder, though not a communicant, of Epiphany Church in Washington, in which his children were baptized.

CHAPTER LXV.

GRANT'S CRITICISMS — INSIDE HISTORY.

Ulysses S. Grant died in July, 1885. A few months later his "Personal Memoirs" made their appearance. In them among other criticisms of Stanton, may be found the following, in Volume II.:

[P. 37] Owing to his natural disposition to assume all power and control in all matters that he had anything whatever to do with (a) he boldly took command of the armies, and, while issuing no orders on the subject, (b) prohibited any order from me going out of the adjutant-general's office until he had approved it. This was done by directing the adjutant-general to hold *any* orders that came from me to be issued through the adjutant-general's office until he had examined them and given them his approval. (c) He never disturbed himself, either, in examining my orders until it was entirely convenient for him, so that orders which I had prepared often lay there three or four days before he would sanction them. I remonstrated against this in writing and the Secretary apologetically restored me to my rightful position as general-in-chief of the army. But he soon lapsed and took control much as before.

[P. 573] (d) Mr. Stanton cared nothing for the feelings of others. In fact, it seemed to be pleasanter to him to disappoint than gratify. (e) He felt no hesitation in assuming the functions of the Executive, or acting without advising with him. * * * (f) Mr. Lincoln was not timid and he was willing to trust his generals in making and executing their plans. The Secretary was very timid and (g) it was impossible for him to avoid interfering with the armies covering the capital when it was sought to defend it my making an offensive movement against the army guarding the Confederate capital. * * * (h) *The enemy would not have been in danger if Mr. Stanton had been in the field!*

(a) Stanton, acting ministerially, had "command of the armies," Grant included, without taking it "boldly" or otherwise. The law gave it to him. The United States Supreme Court had decided unanimously that the secretary of war, when acting in war matters, is supreme, in fact is the president; and that his orders and acts, as such, are the orders and acts of the president. To complain, therefore, that the secretary of war acted as the secretary of war, seems extremely childish and is entirely unlike Grant.

(b) Stanton never "prohibited" the adjutant-general from issuing Grant's orders. Immediately after the appearance of the "Personal Memoirs," Adjutant-General Townsend, in response to a written request to do so, refuted the charge quoted above, saying:

Mr. Stanton instructed the adjutant-general to show him all the "general orders" before issuing them. They were put in type and taken to him. This proper and legal practise prevailed a long time before General Grant came to Washington. After he came the rule prevailed until Mr. Stanton himself changed it by directing the issue of Grant's orders in the General's name. Occasionally—a very few times indeed—he said: "Leave that with me; I want to see General Grant about that before it is issued." Otherwise, as I personally know, and as the records will prove, the General's orders were never permitted to lie on the Secretary's or any other table.

In fact, after the General had fully established headquarters in Washington, the Secretary instructed me to issue his orders at once and bring a copy to him afterwards, *and that was the invariable rule.*

Finally, Mr. Stanton suggested or drafted the law of 1867 which made General Grant supreme in military matters!

Mr. Stanton did not "soon lapse" as stated in the "Memoirs," nor "lapse" at all. He never "lapsed," and I do not undertake to guess why that unfounded statement is made in the "Memoirs."

Thus, Grant's "Memoirs" not only belie the record, but in 1869, when Grant became president, he issued (March 26) an order directing that "all official business which by law or regulation requires the action of the President or Secretary of War, will be submitted by the chiefs of staff corps, Departments, and bureaus *to the Secretary of War*"—the very thing his "Memoirs" condemn in Stanton!

In 1897 General John M. Schofield, who had been secretary of war and lieutenant-general of the armies, put forth a volume ("Forty-six Years in the Army") devoted exclusively to war history. Therein he refutes the assumption of Grant's "Memoirs" and fully sustains Stanton's practise, explaining that he officially "disclaimed the right to issue any order without the knowledge of the President or the Secretary."

(c) That Grant could utter anything which would be so palpably disagreeable to the public mind as that Stanton "never disturbed himself" about performing public duty, seems incredible. Stanton was notoriously an enemy to laggards and drones; and, beyond the assassination of Lincoln, no feature of the Rebellion is more salient than that, pressing and delving on night and day, sparing or thinking of himself never, he literally wore himself out,

"disturbed himself" to death in the prompt and vigorous performance of the prodigious labors of the War Office.

"Mr. Stanton never neglected anything," says General Thomas M. Vincent, assistant adjutant-general under Stanton. "Every day's work was complete before he left the office at night, and frequently he did not leave at all at night but the next morning. His wife, who could see that he was destroying himself, frequently came at midnight or a little later, for the purpose of inducing him to go home. I have known him many times to keep on nevertheless with work that he regarded as important until nearly or quite daylight, Mrs. Stanton patiently but anxiously waiting for him. To say that such a man did not disturb himself to perform his duty is in wretched taste, to be as mild as possible."

It is impossible to believe that Grant indited or inspired that statement, for on August 12, 1867, he wrote to Stanton: "I cannot let the opportunity pass without expressing to you my deep appreciation of the zeal, patriotism, firmness, and ability with which you have *ever* discharged the duties of secretary of war," and in his proclamation on December 24, 1869, announcing Stanton's death, he left an equally strong countervailing record.

(d) "Mr. Stanton *did* 'care for the feelings of others,' and went out of his way very frequently to do kindnesses that were not expected of him," says Adjutant-General Townsend, who for years was by his side night and day. "He probably sometimes made mistakes—though none that were not in favor of the Government—but he took great pains to rectify such mistakes, which were generally if not invariably the result of misapprehension in others."

Stanton "cared for the feelings" of Grant and showed it in many substantial ways. He telegraphed frequently to him like a brother. Thus, on May 9, 1864, 1 A. M.: "I enclose all the information we have. May God bless you and crown you and your gallant army with victory."

On May 14, 1864, in response to Grant's request that General John Gibbon be made a major-general, he telegraphed: "There is no vacancy for a major-generalship, but I will muster some one out for Gibbon"—which meant he would do it to please Grant!

Gibbon repaid Stanton by viciously denouncing him at reunions of the Army of the Potomac.

Thus to Grant on December 25, 1864: "My best wishes and a Merry Christmas!"

At 3 P. M., on March 3, 1865, Grant telegraphed to Stanton requesting the appointment of General John A. Rawlins as brigadier-general and asked the Secretary's favorable recommendation. As soon as he could seize a pen Stanton replied by telegraph: "The name of General Rawlins will be sent in immediately and with *great pleasure*."

Upon the surrender of Lee, the following splendid acknowledgment was sent by Stanton to Grant at 9:30 P. M. of April 9, 1865:

Thanks be to Almighty God for the great victory with which he has this day crowned you and the gallant army under your command. The thanks of this Department, of the Government, and of the people of the United States, their reverence and honor, have been deserved by and will be rendered to you and the brave officers and soldiers of your army for all time.

On April 12, 1865, during the jubilee in Washington over the fall of Richmond and the surrender of Lee, a great throng, led by bands of music, marched to Stanton's residence for the purpose of doing homage to the life-giving figure of the Rebellion, shouting: "Stanton, Stanton! a speech, a speech!"

Thereupon, Stanton, ignoring the palpable fact that the demonstration was a tribute to him alone, led out and presented Grant, who, unknown to the public, had that day become his guest. Twice again the multitude called, "Stanton, Stanton; a speech, a speech!" and twice again the Secretary led forth the hero of Appomattox to receive the wild huzza of honor intended for himself!

Thus, the day before Lincoln was shot, April 13, 1865, he sent this note to General Grant:

I suggested to the President my desire to invite you to the cabinet meeting to-morrow *as one of us*. He cordially assented.

Your presence will afford the President and the members of the cabinet an opportunity to express their gratitude and that of the nation to you for your invaluable services in putting down the Rebellion, and at the same time permit us to have the benefit of your views on reconstruction, a matter which I design shall be quite fully discussed at the meeting mentioned.

I may as well say, *and I take great pleasure in doing so*, that your presence will be welcome at any cabinet conference held while you may be in the city. To this suggestion also the President assented willingly.

Heavily as he was burdened, Stanton found time to communicate by telegraph with Mrs. Grant in New York, St. Louis, or

wherever she might be when not with her husband, and then to telegraph her words and greetings to cheer the General in the field.

No father for his son, no husband for his wife was ever more thoughtful than Stanton was for Grant. That is the record, and "what is written is written." How, then, could Grant write that Stanton "cared nothing for the feelings of others and it seemed pleasanter for him to disappoint than gratify"?

Almost identically the same words are used by Adam Badeau, p. 81, in his "Grant in Peace." How did they get also into Grant's "Memoirs"?

Stanton's thoughtfulness did not stop with Grant. Practically every commander in the army received from him words of praise, support, or cheer that were intended to gratify and not disappoint, of which these examples, not familiar to the public, and not hitherto quoted, will suffice:

Washington City, September 12, 1862.

General:

I regret to learn that you have been suffering from ill health and hope that you may be speedily restored and so as to return with fresh vigor and strength to your command.

The difficulties under which you were supposed to labor by the change of command upon General Hunter's being relieved, will, I trust, be removed by the present commander of the Department.

You have leave of absence for twenty days until your health is restored, and will please report to me a few days in advance of your return. If you need any further instructions, please apply to the Department for them.

While regretting the necessity of leaving your command without orders, the circumstances are fully and satisfactorily explained, and the most entire confidence and regard are entertained for you by

Yours truly,

Brigadier-General Saxton.

Edwin M. Stanton.

Washington, D. C., August 5, 1863.

Dear General:

I hope you are recovering from your severe wound. Of the many gallant officers wounded on the great field of Gettysburg, no one has more sincerely my sympathy than yourself. We felt that the blow that struck you down was a heavy and disastrous one to the country but rejoice that your life was saved and that you are not on the list of those whose loss we deplore.

Yours truly,

Edwin M. Stanton,

General W. S. Hancock,

Secretary of War.

Thursday, November 29, 1864; 9 P. M.

Dear Sir:

I have just heard of Mrs. Vincent's illness. I congratulate her and yourself on the birth of a son and hope she may be speedily restored to health.

In the meantime you are relieved from duty at the Department. * * * Do not trouble yourself with any business. The details of organization for Hancock's corps can be made out by others and I will so direct. Give such orders as are necessary to your chief clerk and remain at home with Mrs. Vincent until she is out of danger.

Very truly yours,

Colonel Vincent.

Edwin M. Stanton.

Galt House, Louisville, Ky., October 18, 1863.

General:

General Grant, who bears this brief note, will thank you in behalf of the people, the War Department, and myself, for the magnificent behavior of yourself and your gallant men at Chickamauga.

You stood like a rock and that stand gives you fame which will grow brighter and brighter as the ages go by. God be praised for such men at such a time. You will be rewarded by the country and by the Department.

Edwin M. Stanton,

General George H. Thomas.

Secretary of War.

War Department, March 25, 1865; 8:35 P. M.

General:

I am very much gratified by your energy in organizing and administering the affairs of your command, vindicating my judgment in assigning you to that position that you could not in any other render service so urgent and valuable to the Government. For what you have already done you have the thanks of this Department.

Edwin M. Stanton,

General W. S. Hancock.

Secretary of War.

Washington, D. C., September 28, 1862; 11 P. M.

Dear General:

That Providence whose eye is upon the falling sparrow is saving you, for the country has great need of you.

The President and myself are overjoyed by the report of the surgeon-general that your courage and vitality have prevented your wounds from ending fatally.

When we called upon you together you were delirious; thank God, you are now out of danger.

Let me know your wants and wishes; they will be granted with a rejoicing hand.

Edwin M. Stanton,

General R. C. Schenck.

Secretary of War.

War Department, December 20, 1864.

General John A. Dix,

New York:

Your suggestion that matters are in such condition that you can now safely resign, will not be considered. I shall not mention the matter to the President.

Your steadfastness and services since January, 1861, have been of measureless value to this Government. Your money, your great ability, and your personal labors and judgment have been freely given to the people—so freely that perhaps you do deserve now to retire, but I beg you not to think of it.

Help us through to the end; and, after peace, which I trust and believe will be eternal, shall have settled upon us, I expect to see a grateful people wish to seat you in the presidential chair.

With the best wishes of my heart,

Edwin M. Stanton,
Secretary of War.

To Major-General Halleck, February 8, 1862: "Your energy and ability receive the strongest commendation. * * * You may rely upon the utmost support in your undertaking."

To General J. E. Wool, February 22, 1862: "Accept my thanks for your vigilant and faithful attention. This Department will support you in every particular. You have its perfect confidence and respect."

On March 18, 1862: "*Ordered*, [by Edwin M. Stanton] That in recognition of faithful service by a distinguished and gallant officer, the name of the fort and the ripraps be changed from Fort Calhoun to Fort Wool."

To General James Shields, March 26, 1862: "Your wounds as well as your success prove that Lander's brave division is still bravely led and that wherever its standard is displayed rebels will be routed and pursued."

To General Burnside, April 25, 1862: "Thanks, congratulations, and more men. Anything you need or desire?"

To General Banks, May 25, 1862: "Your gallantry and skill deserve the greatest praise."

To General G. W. Morgan: "This Department is highly gratified with your successful occupation of Cumberland Gap. Great thanks for your diligence and activity."

To General O. M. Mitchell, May 5, 1862: "No general in the field deserves better of his country than yourself, and the Department rejoices to award credit to one who merits it so well."

To General W. S. Rosecrans, 1862: "I desire to express the great satisfaction which your operations have given to the President and to the Department. * * * There is nothing you can ask within my power to grant to yourself and your heroic command that will not be most cheerfully given."

To C. A. Dana, September 30, 1863: "The merit of General Thomas and the debt of gratitude the nation owes to his valor and skill are fully appreciated here and I wish you to tell him so. It is not my fault that he was not in chief command months ago."

To General W. T. Sherman, March 22, 1865: "Accept my thanks for your letter. With the whole country I have been watching in hope, confidence, and admiration your advance toward the final conquest of the Rebellion. * * * My earnest prayer is that Divine Providence may watch over you, shield you from every danger, and crown you with its richest blessings. * * * God speed you!"

When Grant lay sick in a hot, stuffy hotel in Washington, Stanton wrote to General Halleck, who, with his family, was away from the capital, asking if he could not offer the use of his fine home to the invalid. Halleck replied by telegraph, "Certainly," and Grant accepted the refreshing change very gratefully.

Thus, it is proven that Stanton was not only kind and thoughtful to Grant, but to all other commanders. Grant knew this and he also knew that he was indebted to the Secretary, directly or indirectly, for every substantial promotion of his life up to that of the presidency.

"After returning from Louisville, in October, 1863, where he met Grant personally for the first time," says General M. C. Meigs, "Secretary Stanton frequently reverted to the General, saying he liked him because he 'never complained, never disobeyed orders, never talked politics, never wanted what the Government could not furnish'—qualities which he characterized as the very opposite in others whom he named. He was thoroughly rejoiced to meet a commander who cared nothing for neck-ties, drawing-room frippery, and military tail-feathers, exclaiming: 'Grant is splendid. He takes secession by the throat, not, like some of our Potomac milliners, by the tail.'"

"At one time there were a great many complaints and a powerful military conspiracy against Grant," says Assistant-Secretary C. A. Dana, "but as he was a fighter the Secretary did not care to

bother with them. He wanted fighters."

"Mr. Stanton steadfastly supported General Grant," says General T. M. Vincent. "When there were hostile demonstrations, and at one time they were numerous, he neutralized them. After the battle of Fort Donelson, February 16, 1862, Stanton made him major-general of volunteers; after Vicksburg, July 4, 1863, major-general, United States Army; March 2, 1864, lieutenant-general, United States Army; March 17, 1864, general-in-chief; July 25, 1866, general, United States Army."

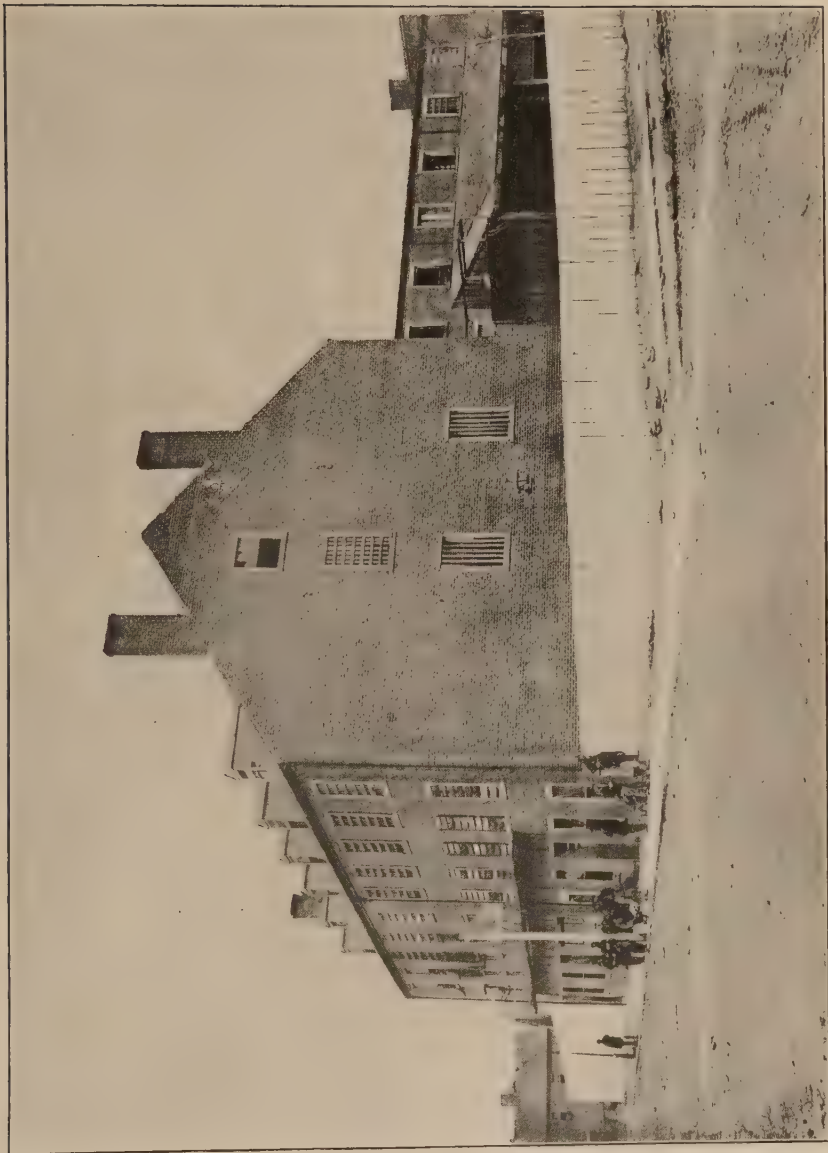
"Mr. Stanton persistently pursued Grant with promotions, giving the matter his personal attention," says Major A. E. H. Johnson, Stanton's confidential clerk. "He followed them to the Senate. The man for the exigency had appeared, and Mr. Stanton fairly kicked him upward in the army."

General Lucius Fairchild of Madison, Wisconsin, relates that when he visited the War Department a delegation was present ahead of him to ask for General Grant's removal. Among other things the spokesman said: "Why, General Grant drinks whiskey."* Instantly Stanton retorted: "You are mistaken, sir; it is blood—REBEL BLOOD!" The delegates withdrew.

When Grant was running for the presidency in 1868 Stanton with his son Edwin L. went on the hustings in his behalf, and everywhere referred to him as the "great soldier," the "splendid captain," the "world's foremost commander," the "savior of the Republic," the "triumphant leader of liberty," and so on. At Cleveland, in September, so weak and full of suffering that he could not stand continuously through his speech, he said:

I ask you who it was that fought your battles and bore your banners triumphant over Rebellion? Grant. Whose sword flashed in triumph over the traitors and rebels that sought to overthrow the banner of your national existence and destroy our name from among the nations of the earth? Grant's. We feel that the ark of our national safety rests upon the shoulders of Grant. Was it not so in the hour of our great struggle? And now the same hand that upheld our ark of safety in battle must uphold it four years longer. And I say in conclusion: Give to that hero three cheers and a tiger! HURRAH!!

*Stanton sent General David Hunter to make an investigation, who reported: "Grant is modest; never swears; seldom drinks—only two drinks in three weeks I have been here; listens quietly; judges promptly; thinks for himself; takes advantage of the enemy's errors. He was appointed not an hour too soon to save this [Shenandoah] Valley."



CASTLE THUNDER.
Confederate Prison at Richmond, Va.

(e) Grant's declaration that Stanton "felt no hesitation in assuming the functions of the Executive," is equally strange and untrue. On page 403 of his testimony before the Impeachment Committee, Stanton swore: "I made an appeal to Mr. Lincoln not to require me to look into matters outside of my own Department unless it was absolutely necessary. My time was all occupied in carrying on the war, and I had no opportunity to busy myself about matters not coming especially under my charge."

Thus, instead of being an usurper of executive authority, his active aid and advice concerning general matters of administration were so much sought by Lincoln that Stanton begged to be permitted to confine himself more strictly to the duties of his own Department.

Just before the assassination Stanton advised Lincoln that the work for which he had accepted office being finished and his health shattered, he wished to resign. "Tearing in pieces the paper containing the resignation," says Carpenter's "Six Months in the White House," "and throwing his arms about the Secretary's neck, the President said: 'You have been a *good friend* and a *faithful servant*, and it is not for you to say when your services are no longer needed.' Several friends of both parties were present and there was not a dry eye that witnessed the scene."

Do these things seem to prove that Stanton was an usurper? Is it not remarkable that the charge of usurpation should come from one who, busy with field operations hundreds of miles away, knew nothing of the facts and could not be concerned personally or officially in those usurpations or even know of them, if there had been any?

(f) The insinuation that Stanton was a coward ("very timid") is certainly curious. He was notoriously the opposite. From youth he was a fearless striker, staking everything, life itself, for success. At eighteen, during the cholera at Columbus, Ohio, he risked his life for a young woman acquaintance who was soon to be married to another; at twenty-five, he jeopardized his life for his client in a murder trial at Cadiz; later, he hazarded his life and limb (sustaining an injury from which he never recovered) while securing evidence that would be incontrovertible in the great Wheeling Bridge Case; as Buchanan's attorney-general, he grappled with secession single-handed, throwing its leaders out of the cabinet and lashing the President himself to the mast; as secretary of war under

Lincoln he lost no opportunity to urge a forward movement, or a battle, or personally to strike a telling blow, as Grant was well aware.

(g) "It was impossible for Stanton to avoid interfering with the armies covering the capital when it was sought to defend it by an offensive movement against the army guarding the Confederate capital," says the "Memoirs."

To thoroughly protect the nation's capital was the highest form of military statesmanship. Throughout the Rebellion, from the moment Davis was inaugurated "president" (February, 1861), the darling plan of the secessionists was to capture the Federal capital and, until General Godfrey Weitzel entered Richmond in April, 1865, their leaders always entertained a hope of ultimate success. The Confederacy fell when Richmond (its capital) fell. Had the Confederates captured Washington, with its wealth of records, archives, documents, and financial treasures—including the chief officers of the nation—the first result would have been foreign recognition. England had already informed the Confederate commissioners in London that the Confederacy must strike a more decided blow before their States could be recognized as an independent nation. Edward de Stoeckl, the Russian minister in Washington, stated at a dinner that he would have recognized the Confederate States if they had captured the city, as was expected, after the first battle of Manassas. The French minister, Marquis de Montholon (son of the marshal who accompanied Napoleon to St. Helena) confirmed Baron de Stoeckl's statement.

Thus, there were the weightiest of reasons for Stanton to save the capital at all hazards. There must be a head to everything that is successful. The Northern head was at Washington, and from that head Grant himself was drawing his salary, supplies, arms, men, promotions, thanks, and gold medals. There Congress met, there the Supreme Court sat in judgment, and there were enthroned his superiors, Lincoln and Stanton. It was vitally necessary, therefore, not only to protect that head, but insure in absolute safety a stable government to sustain Grant and his generals and their armies in the work of suppressing the Rebellion.

But after he became general-in-chief Grant himself and not Stanton had absolute control of the disposition of troops about Washington, and the official records prove that he was not interfered with in any form whatever. In response to a letter from Lincoln, Grant wrote as follows on May 1, 1864:



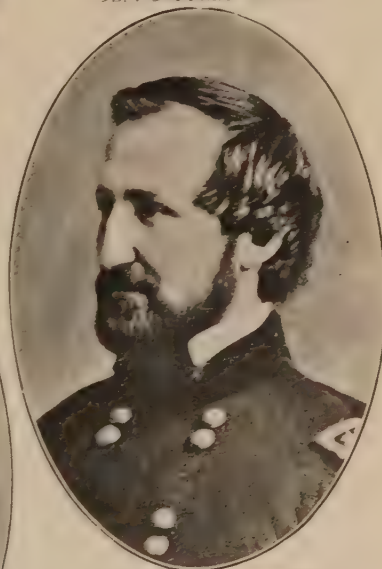
GEN. RANDOLPH B. MARCY.



GEN. GEORGE WEITZEL.



GEN. JOSEPH HOOKER.



GEN. WM. S. ROSECRANS.

From my first entrance into the volunteer service of the country to the present day I have never had cause of complaint; have never expressed or implied a complaint against the administration or the Secretary of War for throwing *any* embarrassment in the way of my vigorously prosecuting what seemed to be my duty. Indeed, since the promotion which placed me in command of all the armies, and in view of the great responsibility and the importance of success, I have been astonished at the readiness with which everything asked for has been yielded without even an explanation being asked.

Either Grant was not being and had not been "interfered" with by Stanton, or in the above he was writing falsely to Lincoln. Either Grant's "Memoirs" are false or his letter is false. Stanton confirms the truth of the letter and the falsity of the "Memoirs" in a letter of July 20, 1864, to Governor Smith of Vermont, thus:

Your telegram of this date has been received. The Department cannot yet determine what troops will be retained near Washington. The disposition of the forces is in the province of Lieutenant-General Grant. So far as I can influence his action I shall be happy to conform to your wishes in regard to the Vermont brigade. I had a conversation on the subject this morning with Mr. Baxter of your State, but for obvious reasons no assurance can at present be given further than to recommend it to General Grant's favorable consideration.

But let Grant finish the demolition of Grant. One night Stanton wrote to Senator B. F. Wade, chairman of the Committee on the Conduct of the War, and Major A. E. H. Johnson took the note to his rooms, suggesting that before closing the hearings Generals Grant and Meade also be summoned and questioned as to the manner in which the War Department had furnished men, munitions, facilities, and supplies for the great armies. The suggestion was acted upon and Grant, on May 18, 1865, testified as follows:

Q.—In what manner has Mr. Stanton, the secretary of war, performed his duties in the supply of the armies and support of military operations?

Ans.—*Admirably.* There have been no complaints. So far as *he* is concerned, there has been *no ground* for complaint.

Q.—Has there ever been any misunderstanding with regard to the conduct of the war, *in any particular*, between yourself and the Secretary of War?

Ans.—Never—none ever expressed to me. I never had reason to suppose that any fault was found with anything I had done. So far as the Secretary of War and myself are concerned, *he has never interfered with my duties; never thrown any obstacles in the way of any supplies I have called for;*

never dictated a course of campaign to me; never inquired what I was going to do. He has always seemed satisfied with what I did, and has always heartily co-operated with me.

Thus Grant himself under oath testified that Stanton did not "interfere with his armies guarding the capital," and that is the fact, and the contrary statement in the "Memoirs" is not fact.

However, the most peculiar fact that rises up to cry out against the injustice of Grant's criticism is a part of Grant's own experience at this period. The only time Stanton did not provide for the safety of Washington according to his own ideas was when he sent every available man from its defense to Grant himself, then operating before Petersburg, and thereby came within a hair's breadth of sacrificing the capital!

He felt that he was making a mistake, but Grant wanted men and he sent them. Lee, in July, 1864, seeing this weakness on the Potomac, directed General Early to capture Washington. Early arrived almost within pistol-shot of the White House, and would have taken the city if he had not delayed his final attack. General Lew Wallace, with a handful of intrepid Maryland militia, threw himself upon Early, and, although repulsed, so demoralized the Confederates by the vigor of his charge, that they were delayed a day in the proposed march into Washington, which they could have accomplished easily. On the following day, seeing before him the cross of the Sixth Army Corps, which Grant had hastily forwarded, Early turned and fled, leaving his wounded behind.

Thus, in the case of Grant himself is demonstrated the wisdom of Stanton's resolute determination to preserve the seat of Government in safety as well as the folly of Grant's criticism of that determination. On this vital point Major A. E. H. Johnson says:

It was the wonder of the President and of Stanton at this time that Grant seemed oblivious to the danger of Washington until it was almost too late, for it was only at the last moment that he sent troops from the James by water to save the city. The President was in great alarm and Mr. Stanton told me to take to my home the bonds and gold (about \$6,000) I had in the War Department safe belonging to Mrs. Stanton, and I kept them under my bed. Colonel Stager, superintendent of the Military Telegraph, seeing the danger, asked Mr. Stanton for leave to go home for a few days and was refused with the reply: "We must all leave soon unless relief comes."

It is a singular fact that during this alarming time Mr. Stanton did not send a single telegram to Grant, but President Lincoln told him to

come to Washington with all the troops he could bring, after having made his position secure. Mr. Stanton made no demand on Grant for protection; he sent him no telegrams for troops, but he called loudly upon the governors for help or the capital would be lost, thus showing not only a marvelous regard for Grant but his own inexhaustible resources.

(h) "*The enemy would not have been in danger if Mr. Stanton had been in the field,*" is the concluding sentence of the paragraph quoted from page 573 of Grant's "Memoirs."

From the moment he entered the cabinet Stanton exerted every power of the Government to furnish men and means to his generals. Not only so, but he created a fleet of gun-boats which drove the insurgent navy down the Mississippi and captured Memphis; provided means to destroy the dreaded *Merrimac*; went in person to blockade the James and capture Norfolk, and rescued Rosecrans at Chattanooga by a bold and energetic stratagem not thought of or deemed possible of execution by others.

His own plans were not only admirable from a military standpoint and executed with great energy, but they were decisive in averting or retrieving national disasters brought about by the failures or inactivity of his generals. He acted after all about him had failed, and with supreme success.

Adjutant-General Townsend, a thoughtful and faithful Christian and a competent and experienced militarist, writes:

I consider the insinuation conveyed in the sentence "the enemy would not have been in danger if Mr. Stanton had been in the field," as a gratuitous and base attempt to throw contumely on the memory of a great man. It means either that Mr. Stanton was a coward or had not the talent to conduct a military campaign.

In the first place, emphatically, Mr. Stanton was no coward. In the second place, if he had made military science an active business, there is every reason to believe that his habit of going to the bottom of whatever subject he had to deal with would have enabled him to arrange all details so as to make him a power in directing military movements. The most successful general is the one who skilfully and carefully prepares his army with food, ammunition, etc., ascertains the topography of his field of operations; knows the enemy's strength, quality, and position and, in short, himself attends to all essential details and then strikes with vigor, and strikes again with more vigor.

This Mr. Stanton would have done. This he always did.

The flings at Mr. Stanton found in the second volume of Grant's "Memoirs," I must say do not sound like Grant. As I read them they excited keen regrets that so remarkable a book should be scarred in so painful a manner.

Thus, considerable space is taken to refute *seriatim* certain misstatements appearing in the so-called "Personal Memoirs of Ulysses Simpson Grant." Grant's great name and the faith of the people in the absolute purity of his motives and the reliability of his utterances render such a course unavoidable. The fact is, however, that Grant never wrote, saw, or inspired those falsehoods.

On Thursday, July 2, 1885, three weeks before his death, he handed to Dr. Douglas, one of his physicians, a very remarkable paper in which he stated that, in his condition, "life was not worth living," adding: "I am thankful to have been spared this long, because it has enabled me to practically complete the work [less than one volume] in which I take so much interest. I cannot stir up strength enough to review it and make the additions and substitutions that would suggest themselves to me but not to any one else."

On this point the testimony of Colonel N. E. Dawson of Washington, for years Grant's confidential secretary, is very important. He says:

Some weeks before the General's death, seeing that he could not long survive, we set about finishing his "Memoirs" and adding notes and dates which had been omitted, consulting and relying on such books and documents as he had indicated.

On completing this work I announced my readiness to read the draft to him for his correction and approval. He seemed very much pleased to know that the work was done, but said he was weak and would not begin reading until morning.

The following day found him weaker instead of stronger, and suffering deeply; and so did each succeeding day thereafter till the end came, and *the reading never took place.*

After his death the publishers were in a rush for the manuscript, and it was sent off in an irresponsible sort of way without any one in authority realizing that it contained statements which I know the General would not have permitted to go to the public and which reflect no sentiments that he ever entertained.

Thus we see that Grant not only never wrote the untruths that appear in his "Memoirs" concerning Stanton, and never saw them, but that they "reflect no sentiment he ever entertained"!

When the minds of the people are poisoned by the circulation of slanders in the name of one so great as Grant, who can refrain from expressing disgust at the general rottenness of much that is extant as "history"?

CHAPTER LXVI.

HEROIC POLITICS — GREAT SPEECHES FOR GRANT.

In Buchanan's cabinet, although a Democrat, Stanton constantly advised with the Republican leaders because he had found too many of his own party embroiled in secession; and when Lincoln succeeded to the presidency, he denounced the partisan trend which the new administration was giving to the management of the war. His letters to Judge Barlow emphatically opposed making General McClellan, just taking the field, the leader of the Democratic party, and, while the insurrection continued, he demanded that loyal men only, regardless of political belief, be appointed or elected to office.

Generals Grant, Sheridan, and Butler—all war Democrats—testify that Stanton more than once urged upon them the necessity of military success in order to favorably influence on-coming elections, and he never failed to contribute to the defeat of candidates not known to be in sympathy with the war. In 1863 he wanted the Union forces of Pennsylvania to nominate General W. S. Hancock for governor, but Governor A. G. Curtin was not only renominated but secured such thorough control of the convention that a resolution endorsing Stanton was rejected with a roar of hostility.

Later the Democrats met and nominated Judge G. W. Woodward (who had declared from the bench that the draft was unconstitutional) to oppose Curtin. Thereupon, the cry being that "a vote for Woodward is a vote for McClellan," McClellan being already in the field for the presidency and supporting Woodward, Stanton rallied the enormous influence of his Department in favor of Curtin and helped to give him a great majority.

In June, 1864, the administration forces renominated Lincoln at Baltimore, but defeat at the polls was for some time anticipated by Lincoln and nearly everybody else except Stanton.

The convention adopted a platform demanding the retirement of any cabinet officer not in accord with the ruling elements of the administration—a direct blow, it was alleged, at Postmaster-Gen-

eral Blair. But as Lincoln did not act on that demand; as the entire influence of the South, through disunionists in the North, was exerted in behalf of McClellan (who had, in the meantime, been nominated for the presidency by the Democrats) and as the radical party of the North had nominated General John C. Fremont for president and General John Cochrane for vice-president, the administration ticket seemed to be in danger of defeat. At this moment the following letter was sent to seventeen loyal governors:

Private and Confidential.
Your Excellency:

New York, September 2, 1864.

The undersigned have been requested by an influential body of Unionists to communicate with the loyal governors for the purpose of eliciting replies to the following queries:

1. In your judgment is the election of Mr. Lincoln a probability?
2. In your judgment can your State be carried for Mr. Lincoln?
3. In your judgment do the interests of the Union party and of the country require the substitution of another candidate in place of Mr. Lincoln?

In making these inquiries we express no opinion of our own and request yours only for the most private and confidential use.

Yours truly,

Horace Greeley, Editor of the *Tribune*.

Park Godwin, Editor of the *Evening Post*.

Theodore Tilton, Editor of the *Independent*.

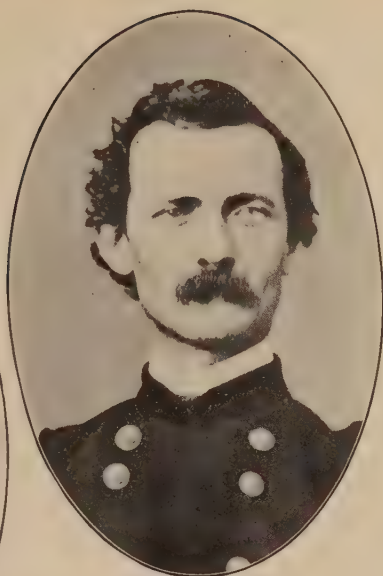
Several, probably a majority, of the war governors thus addressed, communicated with Stanton before replying. His advice was prompt and decisive, as his letter to Governor J. Gregory Smith of Vermont, attests:

In replying to yours of the 6th enclosing the circular of Messrs. Greeley, Godwin, and Tilton asking my opinion thereon, I have no hesitation in declaring that the only promise of success in November lies in a clear field and an undivided North for President Lincoln. This is no time to discuss his mistakes, and whatever they may be thought to have been, any other person as president probably would have made as many or more. The Union cannot be saved by dividing its support, a fact which ought to be as patent to Greeley, *et al*, as it is to our enemies.

A majority of the governors replied to the Greeley-Godwin-Tilton letter along the line indicated in Stanton's communication; Lincoln (on September 23) called on Blair to resign and Fremont and Cochrane withdrew, the latter taking the hustings with great effect against McClellan.



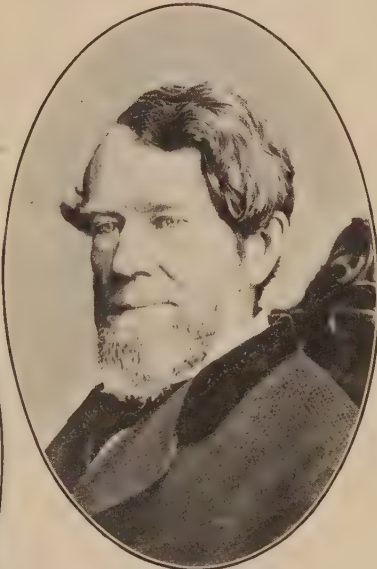
GEN. THOMAS M. VINCENT,
Assistant Adjutant-General.



GEN. JAMES B. FRY,
Provost Marshal-General.



GEN. EDWARD D. TOWNSEND,
Assistant Adjutant-General.



WILLIAM WHITING,
Solicitor, War Department.

During the campaign, insurgent agents in the North laid plans to bring deserters from Canada and enemies from the South to New York and other large cities where fires were to be set and other desperate disturbances put afoot on election day with the expectation of so distracting public attention that the election of McClellan could be accomplished by stuffing ballot boxes and other frauds.

Stanton, fully informed of these plans, sent military reinforcements to New York and elsewhere; swore in thousands of extra marshals, and took such other precautions that the plot was wholly thwarted. Provost-Marshal-General Fry states, and so does C. A. Dana, that Stanton carried the election for Lincoln, and insisted from the first that he would do so.

As soon as that result had been accomplished, Grant sent a telegram of congratulation to Stanton, and S. P. Chase, who left the cabinet in July, also sent a congratulatory note, to which he received this reply, dated November 19, 1864:

My Dear Friend:

Your welcome note found me in bed, where I have been for some days. It came with healing on its wings, for I am in a condition in which nothing can serve me better than the voice of a friend, and of no friend more effectively than yourself.

I am better now and again at work, but with feeble and broken health that can only be restored by absolute rest from all labor and care. This I long for and hope soon to have. Our cause is now, I hope, beyond all danger, and when Grant goes into Richmond, my task is ended. To you and others it will remain to restore the fruits of victory and see that they do not turn to ashes.

Thus is the fact again declared from within that Stanton cared nothing for political or official power and remained in public service only for the purpose of crushing the insurrection and restoring the Union.

"His position was very trying," says General Grant, "there being so many politicians in the army and so many military men among politicians, each trying to swerve the movements of the other. I have always thought he managed that difficult combination well—better than it could have been done by any other man of the day."

"Although Mr. Stanton despised politics," says Charles A. Dana, "he was altogether the best politician in the Lincoln administration. He fully understood the temper of the masses; knew what fruit each act would bear and looked to the possible consequences

of every step before it was taken. Still, he kept partisanship thoroughly out of the War Department and used politics and politicians only to help the Government."

In 1866 he was instrumental in calling two great conventions in Pittsburg and Philadelphia to counteract two mass-meetings assembled by President Johnson to advocate "My Policy," and they were remarkably successful.

In July, 1868, the Democrats held a "Soldiers' and Sailors' Convention" in New York simultaneously with their national convention which nominated Horatio Seymour for president. The former convention, of which General W. B. Franklin (one of McClellan's closest friends) was chairman, unanimously adopted, under suspension of the rules, the following anti-Stanton resolution:

RESOLVED, That the thanks of this convention and of all patriotic and right-minded citizens are due to the President of the United States for the removal of E. M. Stanton from the War Department of the Government, a position which the said Stanton has disgraced and dishonored ever since his appointment to that office by his many acts of cruelty (both to the Union and Confederate soldiers) and by his official acts of tyranny, and that soldiers should on all occasions meet him with the same feelings of outraged dignity and patriotism that he was received with on that ever memorable occasion in the city of Washington from the great and gracious soldier, General W. T. Sherman.

Resolutions of this malevolent character, together with the intense activity of the South—eight of the insurrectionary States being back in the Union with voting power—gave Stanton much anxiety. He feared that what had been gained with the bayonet might be lost through the ballot. Therefore, when Seymour began traveling back and forth advising the people to vote for him because the war debt was large and taxes high, Stanton shouted his protests with vehement and lofty eloquence.

Although too feeble to stand during an entire address, he opened the Grant campaign in his native city of Steubenville on September 25, to an immense concourse of people, and spoke as Charles A. Dana says, "with a lift of imagination, and a grandeur of ideas that made his language glow like fire."

General Grant stands this day before you the foremost military commander of the world, with peace for his watchword. Why should he not be elected? What reason has any lover of his country for not voting for him?

If there is a man among you who would blot from the page of history the story of our great achievements, let such a man say, "I had no share in those triumphs; I vote against General Grant." If there is a man among you that would compel the Armies of the Potomac, of the James, of the Tennessee, to be again gathered and to surrender as prisoners of war to Lee, Johnston, Beauregard, and Pillow, let him vote against General Grant. If there is a man among you who would reverse the order of history and bring upon you a reproach and shame never before visited upon a nation of the earth, would have a commander of the United States armies deliver up his sword, humbly bowing before the rebel commanders, let that man vote against Grant, and never again call himself an American citizen. If there is a man among you who would desire to see, whose eyeballs would not burn like fire to see upon the portico of the capital, Lee, Preston, and Pillow, with the Confederate army around them; if there is a man who would see this and would see them win in the New York convention the battles they lost in the South, let such a man vote against Grant and go to Washington on the 4th of March next and behold the Government turned over to the rebels.

Although so wrenched and exhausted by asthma that he could sit up only a portion of the day, he spoke in Cleveland on October 9, more especially to foreign-born voters.

His address occupied only about thirty-five minutes, but his earnestness was irresistible. Several times during the delivery, paroxysms of asthma so choked him that he was compelled to support himself from falling by a small table standing near; yet, to the astonishment of the great audience, he took no notice of these attacks, but was lost in the effort to convince his hearers that it was the solemn duty of every citizen to vote for Grant. Stopping to rest a moment, he requested the presiding officer to read Lincoln's Gettysburg speech. At its conclusion he sprang forward and exclaimed:

That is the voice of God speaking through the lips of Abraham Lincoln! Let that noble speech reach the extremities of this great crowd. I mean that you shall hear it; I mean that you shall adopt its sentiment and declare yourselves now. You hear the voice of Father Abraham here to-night. Did he die in vain? Shall we not dedicate ourselves to the work he left unfinished? Let us here, every one, with uplifted hand, declare before Almighty God that the precious gift of this great heritage, consecrated in the blood of our soldiers, shall never perish from the earth! Now [uplifting his hands] all hands to God! I SWEAR IT!

The audience, with uplifted hands, rose and took the oath with Stanton—swore to vote for Grant and dedicate their efforts to the task left unfinished by the martyred Lincoln! It was a sensational and heroic scene, and created a wide and profound impression.

A particularly hard campaign was being waged against General R. C. Schenck, a candidate for reelection to Congress, so Stanton addressed a throng of people in his behalf at Carlisle, Ohio. Speaking of the plan of repudiating the war debt, which some of his opponents had advocated, he said:

Now, talk to such people about interest and about repudiation! Get the financiers of Wall Street, or any other street outside of Hades to cipher up how much the widow's son was worth; how much the father's boy was worth! If we repudiate, let us repudiate all. Let us level the graves of our dead soldiers; let us blot their memories from the family Bible; let us not have them prayed for at the fireside, nor in the church, nor remember them on the days of their birth, nor the days that are still held sacred all over the land!

At Pittsburg, on October 29, he met an ovation. The city turned out en masse to welcome him. His speech, occupying forty-five minutes, aroused the greatest enthusiasm.

From Pittsburg he hastened to Philadelphia to reply to Seymour's closing effort, which he did on Saturday, October 31. That speech, as interesting reading as these pages contain, is in part, as follows:

Governor Seymour has said that our great war expenditures were unreasonable, yet he shows no other way in which the Rebellion could have been put down. The inference, therefore, is irresistible that he desired that the Rebellion should not be put down, and that every drop of blood shed, and every dollar expended he regrets as a waste and extravagance on the part of the Government.

What item of the three billions of money expended to put down this Rebellion has Seymour shown, or pretended to show, was unreasonable? He has indeed specified one item, one solitary item—misconduct of the Secretary of War. To find anything else I have performed the task—and still live—of reading all of his speeches.

Now what was the policy of the Secretary of War—for his policy and that of Horatio Seymour were directly and diametrically opposed to each other? It was to pursue the enemy to the last extremity; it was to smite him wherever he was to be found; by day and by night it was to carry forward the flag of the United States and to trample under foot the flag of the rebels; to stand by Abraham Lincoln to the last; by day and by night to be at his side, to uphold his arms, to encourage him in his efforts toward the cause of liberty, to strengthen him and support him in his hostility toward the enemy, and, above all, to convince him that upon the rock of emancipation we must build our safety.

That was the policy of the Secretary of War! It is true, as Horatio Seymour declares, that if that policy had not been pursued, this war would

have been brought to a speedier close. But how? By the overthrow of the Government of the United States, by the triumph of the rebels, by the success of treason, by the destruction of the cause of liberty in this land and all over the earth. And by the blessing of God, Seymour's policy was not adopted and mine was.

As to the accusations against the Secretary of War, I rejoice in them. I would bind them upon the brows of my children, as did the Jews of old, and would leave them no other fortune than to have written on my tomb: "This man fought the rebels to the last extremity."

But it is very unkind of Horatio Seymour to accuse the Secretary of War. He has been traveling upon the Secretary's pass for two years—the only certificate of character he ever had—the one which has been paraded by every copperhead press in the land, signed "Edwin M. Stanton." And now it behooves me to give some explanation of that certificate. I did under the circumstance just what you would have done and just as loyal men will do next Tuesday if they vote for Seymour—made a mistake!

I will read to you the certificates. The first is dated on the 15th of June. It was in these words:

"To Governor Seymour: The President directs me to return his thanks, with those of the Department, for your prompt response."

That was upon the 15th day of June, 1863. Lee, with his army 100,000 strong, was moving upon the free States and marching to invade Pennsylvania. We had forces equal, perhaps, in numbers; we had confidence in our troops; but we were not willing to run any risk that could be provided against.

On the morning of the 15th day of June the Secretary of War wrote a telegram to the governor of New Jersey; also to the governor of Pennsylvania, and to the governors of all the loyal States, asking if they had troops, militia or others, that were available, that could be forwarded to Washington; because if we had these troops, veterans and trained soldiers could be withdrawn from the garrisons and sent to the front. On that same day Horatio Seymour replied that he had some troops of organized militia and without delay would forward them to Washington.

On the evening of that day, well do I remember, Abraham Lincoln and I sat side by side in the corner of the room where I saw so many anxious beats of his great heart. We were looking over the chances of the conflict. We knew that the critical hour was about to strike on the clock of time, and we looked over all to see whether our work was done; to see whether there was any point where we could strengthen the army, to insure victory or avert disaster. Telegrams came. We looked over them, and among them was a despatch from Governor Seymour promising that he would quickly forward troops. Why did that excite surprise? Why did it call for thanks from the President? To Governor Tod he explained, when the Governor asked him, "Why is it you thank a copperhead governor and render no thanks to loyal governors?" "Because they do not need it and Seymour does!"

On that night, as we sat with our hearts heavy, considering the question as to whether our duty was done, and the approaching issue of the day, Mr. Lincoln said, after expressing his surprise that Governor Seymour was

about to change the course he was pursuing toward the Government: "I think we ought to make some acknowledgment." I said, "I think so too," and so that telegram was written. It was to encourage a faint-hearted governor, placed by accident at the head of the greatest State of the Union, and to induce him to join us in laboring for the national cause.

A week from that time passed. On the 21st of June, stimulated by the patriotic ardor of the citizens of New York, unable to resist the pressure that they were making upon him in the hour when the enemy were already marching upon free soil, a few regiments came, and what was done? Another note of thanks was written to Governor Seymour in these words: "Dear Sir:

"I cannot forbear to express to you the deep obligation I feel for the prompt and candid support you have given the Government in the present emergency.

"Edwin M. Stanton."

At that time and at that hour I would have engaged to support Seymour against all men on the earth, because I thought he had sacrificed party spirit and strong prejudice, and that he was an instance where conscience and patriotism had burst the bonds of party and soared to a loftier sphere. This was on the 21st of June. Within ten days after that Horatio Seymour stood in Cooper Institute denouncing the Government, discouraging the defenders of the flag, while Meade was mowing down rebels on the blood-red hills of Gettysburg and Grant was taking the surrender of 35,000 rebels at Vicksburg.

I admit I gave this pass that Governor Seymour has been traveling on for two years, but behold Seymour's change! Look at these dates; they show exactly the conduct of Seymour. He was appealed to on the 15th of June; he answered on the 21st of June, and on the 4th of July he was at Cooper Institute denouncing the draft, and pleading for the enemy!

Upon the 4th of July, 1863, notwithstanding the conduct of Horatio Seymour, the sun of our country's glory burst forth in splendor through the dark clouds of Rebellion that had for some time overshadowed it, and the baleful exclamations of treason were scattered.

Do your duty next Tuesday, and the sun of our political glory will shine as brightly as it shone on the day of the 4th of July at Vicksburg and at Gettysburg.

Vote against Grant and darkness and gloom will settle over this country—like the pall of midnight will settle deeper and deeper over the land, over its prosperity, over the elements of national honor, over the elements of national strength—and the greatest calamity that ever befell the people will be upon us.

May Divine Providence avert the catastrophe!

CHAPTER LXVII.

A STRUGGLING WRECK — THE SUPREME BENCH.

At the close of the campaign (on November 8, 1868) Stanton wrote the following to his dearest friend, Peter H. Waston, at Ash-tabula, Ohio:

On Monday evening I reached home in a state of great exhaustion from the fatigue and excitement of two vast meetings, one at Pittsburg, the other at Philadelphia. The Philadelphia reception would have been highly gratifying to a person who prizes such displays. The monster building, the Academy of Music, was jammed from roof to foundation by a throng of ladies and gentlemen and thousands were outside, waiting for an address to them. An increased vote of 5,000 in that city, and nearly 9,000 in Pittsburg shows that the throttling of Seymour did not prejudice our cause, and he was pretty thoroughly skinned from snout to tail.

I found Mrs. Stanton at home in about the same health as when I left her. The rest of my family are well, and my own health and strength improving.

I had written this far when your note informing me of the accident that had happened to you by the explosion of the silicate of soda was brought in. I hope you will not, my dear friend, give a moment's notice or care concerning me, but think only of yourself and recovery. The accident will not, I hope, interfere with your prospects concerning a patent. As I am now at home, and do not design any other absence, you can refer Stoughton to me for any aid that may be required and I may happen to be competent to give. This accident shows that we are complements to each other, both being better together than alone, for I would not have allowed you to run any risks, and you would have cured me if I could have stayed at Ashtabula instead of going to Cincinnati.

While J. W. Draper, the noted historian and scientist, was preparing his "History of the Rebellion," he asked to be supplied with facts for incorporation therein which would vindicate Stanton's administration. Stanton replied, on November 20, 1868:

While I assent to your maxim that a public officer owes something to himself in seeing that the truth is told concerning his acts, yet I have never been able to overcome the feeling that in a great contest like ours, involving the life of a nation and the welfare of a race, merely individual action is too

insignificant to waste time and labor in its vindication. Hence I have felt that it was better to bear in silence what might easily be answered or repelled without regard to the source or motive of the accusation.

It is my purpose to devote a few weeks before reentering actively upon professional labors to the arrangement of such papers as appear worthy of preservation; and whatever information they contain, or I possess, shall be at your service.

Unfortunately he made no such assortment of his papers for Professor Draper or any one else. Indeed he left very few papers valuable or otherwise.

A little later, on January 3, 1869, he wrote to Mr. Watson that he "had been better than usual the last two days," so that he "hoped to get through the winter without any more violent paroxysms of asthma." A week afterward, on January 10, mentioning politics with some freedom, he wrote thus to Mr. Watson:

I am glad to learn that your patent was issued, and I hope it is now in your possession secure against official perils. I hope you reached home in time to meet your boys, and have a full family assembly. My family are as you left them; you are still the theme of our kindest thoughts and converse. Bessie [Stanton's daughter] is anxious to be enlightened on several scientific points which she insists no one understands but you.

Politics is becoming exciting. You have doubtless noted that the Pennsylvania Railroad, Tom Scott, and Cameron, have selected a railroad attorney [John Scott, for ten years solicitor of the Pennsylvania Railroad] as senator from Pennsylvania. Morrill of Maine is beaten in caucus by Hannibal Hamlin, and Fessenden reads the handwriting on the wall. It is said that Morrill was beaten chiefly by Fessenden's support of him.*

Morgan [Edwin D. Morgan of New York] will be defeated; who will win among his opponents is uncertain. The election is said to be substantially at auction.

You and I have no lot or part in all these schemes, and can only lament their existence without power to avert their evils, and mourn such results after all the great national and patriotic sacrifices we have witnessed and shared.

My health continues to improve, and I am busy with the cases, but straitened for money. Can you do anything for me, or must I look elsewhere?

Mr. Watson happened to be with Stillman Witt of Cleveland when the foregoing request for aid was received, and permitted him to read it. Mr. Witt, for himself and associated with Amasa Stone,

*William P. Fessenden abandoned his party during the trial of President Johnson and voted with the Democrats against impeachment.

had been a large railway contractor and a great admirer of Stanton. He handed back the letter with a draft for five thousand dollars payable to Stanton's order. The aid, supposed by Stanton to be a loan, was thus acknowledged:

Washington, D. C., January 29, 1869.

My dear Friend:

Your note enclosing Mr. Witt's draft for \$5,000 received here while I was at Wheeling trying a land case. My health had very much improved. I was as strong and vigorous as at any time within two years. The case involved lands and mines to the extent of two millions and I never made an argument with more ease and effect and success. But a journey across the mountains has for years been followed by sickness and special circumstances contributed this time so that I have been without voice from sore throat and without breath from spasms of asthma that prevented me from acknowledging Mr. Witt's letter. It is enclosed with a note for his advance and I will trouble you to give them to him or send them by mail as soon as possible.

The family is as well as usual. I am glad to hear from Mrs. Watson and the children.

In Mr. Witt's letter you will find the political news. Seward will not get into the cabinet but some think it will be very Sewardish. I suppose you have seen Bank's little romance. It is got up by a joint stock company in the apprehension of my going into the cabinet, although I would rather burn my arm off to the socket. Whether Grant has any stock in it for the purpose of excusing him from the compliment of an offer to me, opinions vary.

I care nothing about it, and, having repelled the imputation of ever having thought Banks fit for a military command by a public denial, I shall leave the matter where it is. The whole story is simply this, as you may remember: While Grant was besieging Vicksburg, Banks, with a large force, was fiddling away at Port Hudson. There was no confidence in his capacity or success. Mr. Lincoln, Halleck, and Grant believed that if Vicksburg were taken, Port Hudson would fall, and Grant wanted Banks' troops. They were ordered to him but did not go, for Banks held on to them. Now Banks says he was senior to Grant and would have had the command if he had gone to Vicksburg, and the order to go there with his troops is what he calls superseding Grant; but the law* expressly authorized the President to give the command to a junior—it was often done—and Mr. Lincoln meant to do it as soon as Banks got to Vicksburg, but thought it best to wait until the troops got there. Banks no doubt suspected that, and did not budge from Port Hudson, which fell as soon as Vicksburg was taken.

Yours truly,

P. H. Watson, Esq.

Edwin M. Stanton.

*See act approved April 4, 1862, giving the President power, when two or more officers of like grade were operating in the same field, to designate the commander, regardless of rank.

Howard P. Eells of Cleveland, who administered the Witt estate, says Stanton's note and grateful letter of acknowledgment were destroyed and that Mr. Witt's gift was intended to remain an unrecorded secret—a real tribute of gratitude and friendship.

The "land case" involving two million dollars, mentioned in the above letter, covered a tract of ten thousand, three hundred and seventy-five acres of timber underlaid with cannel coal in Kanawha County, West Virginia. Stanton appeared for R. M. T. Hunter and others, who were plaintiffs in a very complicated case. He mentions that he "never made an argument with more ease and effect and success"—a remarkable statement, in view of his shattered and feeble condition. Judge Thayer Melvin of Wheeling says:

When Mr. Stanton appeared to argue the Kanawha case, I was pained and disappointed. I had conceived him to be an immense, burly, rough, and resistless man, full of health and power and ready for any contest or emergency. Instead of my ideal, there came in, walking slowly and wearily, a feeble and exhausted invalid, whose death-like pallor shocked all beholders. His argument was delivered in low conversational style, but with wonderful clearness, directness, and completeness. I think that was his last trip over the mountains, and some believed then that he would not live to get out of the city. All who saw him were sad. Certainly death seemed near.

"I had tea with Mr. Stanton and his son Eddie at the McLure House in Wheeling at the close of the Kanawha argument," says William Stanton Buchanan, then residing in Wheeling. "I told him that he was failing very fast. He did not seem surprised or frightened, but simply answered: 'Do you think so, William?' I did, indeed, think so, for he was a wreck. I hardly see how he withstood the journey home."

The ensuing exhaustion was so severe and long-continued that for some time he shared the fear of his friends that perhaps his condition was really serious. While entertaining this feeling he resolved to be prepared for the worst, and sent for Dr. William Sparrow of Alexandria, Virginia, to baptize him. He also requested General E. D. Townsend to come and discuss the personnel of the executors of his will as well as the most available manner of disposing of his property, and a place of burial.

After this he rallied considerably, and on June 11, 1869, wrote to Mr. Watson a "family letter" of some length in which occurs this paragraph:

Since you were here the state of my health has greatly fluctuated—being sometimes worse and seldom better until recently. A decided improvement has now taken place. Although my strength is not fully regained, my appetite and sleep have much improved, and, with the advancing season, I am growing stronger and hope now for a full recovery.

Mrs. Stanton and Dr. Barnes are striving to get me away from Washington during the hot weather, but I am resisting and would much prefer to stay at home. I do not know how the contest will end.

Immediately following the date of this letter a serious decline set in and the "contest" referred to ended on July 19, by advice of Dr. Barnes, in drafting his will. On July 25, Dr. Barnes ordered him to depart for the Rocky Mountains. The journey seemed too formidable and too costly, so he compromised by leaving on August 4 for Mount Wachusett, Massachusetts.

Receiving there no apparent benefit, he proceeded to Wolfboro, New Hampshire, whence a New York correspondent wrote that he "seemed like a wreck, and did little more than sit on the piazza and watch the children at play, in strange and pitiful contrast to the surrounding vivacity."

About the middle of September he went by invitation to Pine Bluff, the breezy seaside home of his friend Samuel Hooper, at Cotuit on the coast of Cape Cod. There he revived from a relapse which would have terminated fatally had he remained in Washington.

"This is a sweet oasis," he wrote to James M. Ashley of Toledo; "my life has been prolonged by its pure air and fresh surroundings. I thank God for the kindness of my friends." His finances were so straitened that without an invitation like that from Mr. Hooper, or a cash advance from one like Mr. Witt, he would have been unable to leave Washington for any considerable time; hence the fervent expression of gratitude for the "kindness of his friends."

Returning in the early autumn, he was more cheerful but really weaker and more broken down than before. While thus helpless physically and financially, he wrote the following sad communication, the very last of any length penned by his own hand:

Washington, November 25, 1869.

My dear Friend:

Contrary to my hope when I last saw you, my health was not restored so that I could engage in business for a livelihood. My strength rapidly declined in the summer, and with reluctance I was compelled to leave home.

Some months on the mountains and seashore of New England, with absolute rest, effected some improvement, and I am now better than for the last twelve months, and am steadily but slowly improving.

My medical advisers, everywhere, enjoin abstinence from any employment taxing my physical strength, so that I have been forced to decline numerous professional engagements that, had I been strong enough, would have provided for my necessities.

I am entirely out of money. Traveling, educating, and providing for my children, and other necessary expenditures, have quite exhausted my last winter's supply furnished by Mr. Witt's kindness, so that I am compelled to apply to you for aid. I know you will be glad to aid me if in your power. I have valuable property here and in Ohio, and on the Monongahela, not encumbered, but unproductive. I have not been able to give my attention towards disposing of it, and my protracted and serious illness has cut off my professional supplies.*

Please let me know whether you can help me or not. Five thousand dollars would carry me through another year; even less would drive the wolf from the door.

With kindest regards to you and Mrs. Watson and the children, I remain,

P. H. Watson, Esq.

Ever yours,
Edwin M. Stanton.

On December 12, after arguing the famous case of *Whitney vs. Mowry* before Justice Swayne, who came to Stanton's residence to sit in chambers, he suffered a severe relapse. During this illness, James M. Ashley of Ohio telegraphed to General T. M. Vincent an expression of solicitude and asked for information concerning Stanton's health. As the message was one of unusual cordiality, General Vincent handed it to Stanton at his house. He exclaimed: "That's from my good friend Ashley; I myself will answer it."

He called for pen and paper but was unable to write a sentence—hardly a word, in fact. Dropping the pen and turning to General Vincent, he observed, with trembling voice and tearful eyes: "I can't do it; I am used up."

In the meantime Justice R. C. Grier had informed Stanton that he intended to retire under the act of April, 1869, and intimated that

*Says Charles A. Dana: "Less than a month before his death he received a large retainer from Pennsylvania. In reply he asked for time, saying he was not ready to appear in court in so important a suit. He was informed that delay was impossible, to go ahead at once. Distressed as he was for money, he returned the retainer, as he was too conscientious to accept a fee which he thought he could not fully earn."



PRESENT STATE, WAR AND NAVY BUILDING.



WAR DEPARTMENT,
Philadelphia, 1798.



WAR DEPARTMENT IN STANTON'S TIME.

if his dear old friend, now feeble in body and purse, desired to be his successor, he would be happy to time his resignation agreeably to that end.

No suggestion was ever more gratefully received. Broken health, lack of ready money, failure of the impeachment, vehement attacks upon reconstruction by some of his former friends, eleven votes in the Senate and twenty-five in the House against even the cheap reward of thanks for his great services, all combined to produce extreme mental anguish. Hence the possibility of becoming a part of the highest court in the world was a source of keen satisfaction.

An appropriate interjection here is that of the fact that when Chief-Justice Taney died in the autumn of 1864, Bishop Simpson, Governor O. P. Morton, General J. K. Moorhead, Governor John A. Andrew, and others besought Lincoln to appoint Stanton to the vacant position. "If Mr. Stanton can find a man he himself will trust as secretary of war, I'll do it," said Lincoln to Bishop Simpson. Stanton knew of no such man; and S. P. Chase, who was favored by Stanton, was appointed.

President Grant indicated that, should nothing unexpected intervene, Stanton would be appointed to succeed Justice Grier. However, some days passed without any announcement, for reasons best given by the late Senator M. H. Carpenter of Wisconsin, in a speech in the Senate on June 4, 1872, in part as follows:

I had charge of a bill which we passed for the reconstruction of the legislature of Georgia, after the colored members had been expelled. We sat late at night to pass it. At about half-past eleven, while in my seat, it occurred to me that something might be done to insure the appointment of Mr. Stanton as judge of the Supreme Court. It had been expected by many of us, and yet his nomination did not come. I then and there drew up a letter for the President, recommending Mr. Stanton to be appointed judge of that court. I took it around the chamber and in less than twenty minutes obtained thirty-seven signatures of Republican senators.* That was Friday night, and before leaving the Senate Chamber I agreed with the Senator from Michigan [Mr. Chandler] to meet at the White House the following morning, Saturday, at 10 o'clock to present the letter to the President.

The next morning I rode to Mr. Stanton's and showed him the letter, and as he glanced over it the tears started down his cheeks. He said not a word. He did not even say "thank you." Witnessing the depth of his emotion I bowed myself out, telling him that I was going to present it to the President.

*Headed by Vice-President Colfax.

I carried it to the President and found the Senator from Michigan with the President, awaiting me. Said the President: "I am delighted to have that letter; I have desired to appoint Mr. Stanton to that place, and yet, in consequence of his having been secretary of war and so prominent in the recent political strife, I have doubted whether it would answer to make him *Judge*; that indorsement is all I want; you go to Mr. Stanton's house and tell him his name will be sent to the Senate Monday morning."

This was Saturday. I then drove back to Mr. Stanton's house and told him what the President had said. Mr. Stanton's first reply was: "The kindness of General Grant—it is perfectly characteristic of him—will do more to cure me than the skill of all the doctors."

In the House one hundred and eighteen Republicans signed a similar petition, and next day, on Sunday, President Grant, accompanied by Vice-President Colfax, called to say to Mr. Stanton in person that the appointment would be made on the following day. It was sent to the Senate on Monday, December 20, and confirmed an hour later, after words of kind and tender endorsement, by a vote of forty-six to eleven.

Notice of confirmation was immediately returned to the White House, and the commission would have been transmitted to Stanton the same day if President Grant had been satisfied that he possessed authority to habilitate a justice in the absence of a vacancy—Mr. Justice Grier's resignation having been drawn to take effect on the first of February following.*

During the afternoon of the 20th—a cold, damp, and windy day—Stanton arose from his bed, and, in spite of the protests of his physician and the members of his family, drove to the White House to return the President's call and to thank him personally for the appointment.

Thoroughly muffled in heavy wraps, looking more dead than alive, he tottered to the President's room, supported by Adjutant-General Townsend. Much surprised, Grant stepped forward rapidly to greet his visitor, who grasped him with both hands, but could utter scarcely a word. Trembling lips and suffused eyes, however,

*"The circumstances of the appointment of Mr. Stanton were very remarkable. Mr. Justice Grier had sent in his resignation to retire on February 1. Mr. Stanton was nominated, confirmed, commissioned, and ready to take his seat; then sickened, died, and was buried, all before the first day of February. On that day good old Justice Grier returned, took his seat on the bench and helped to decide causes after his successor had been appointed, commissioned, and was dead and buried."—Speech of Senator M. H. Carpenter.

more eloquently than words, told the dying man's story of appreciation and gratitude. He had made the following acknowledgment in writing, but instead of sending it, visited Grant in person, as stated:

Dear Sir:

I beg you to accept my thanks for your nomination of me as one of the associate justices of the Supreme Court of the United States. It is the only public office I ever desired and I accept it with great pleasure.

The appointment affords me the more pleasure coming from you, with whom for several years I have had personal and official relations such as seldom exist among men.

It will be my aim so long as life and health permit to perform the solemn duties of the office to which you have appointed me with diligence, impartiality, and integrity.

I have the honor to be truly your friend,
The President.

Edwin M. Stanton.

On the 22d the President became convinced that there were no inhibiting circumstances and signed the commission; but, as if to complete a tragedy, Stanton never saw it. The relapse brought on by his visit to the White House had already reached both heart and brain, obscuring all earthly facts and faculties with the haze of approaching death.

After the burial, Grant sent the commission to Mrs. Stanton, accompanied by a warm tribute to her husband's "ability, integrity, patriotism, and services."

CHAPTER LXVIII.

DEATH.

The attending physician did not apprehend immediately fatal results from the relapse brought on by the visit to Grant on the 20th. To Mrs. Stanton's anxious inquiries he replied that her husband would "certainly rally, as his mind was clear and active and his interest in public affairs unabated."

On the evening of December 23, 1869, after Dr. Barnes had departed, the family retired as usual, leaving Stanton in care of his nurse, David Jones. An hour later Jones was startled by extreme paroxysmal respiration in his patient and aroused the household. Dr. Barnes was brought back at once, and, discovering impending dissolution, sent for the Reverend Thomas A. Starkey, rector of Epiphany Church. Between the ensuing convulsions Stanton expressed the belief that he would recover. Dr. Barnes, however, was convinced to the contrary, and the rector chanted the solemn service for the dying at 2 o'clock in the morning. At 4 o'clock, surrounded by his entire household (which included the servants, Nurse Jones, Miss Bowie, Dr. Barnes, and the Reverend Mr. Starkey), having been in a semi-comatose condition for a time, the weary Titan breathed his last in painless peace.

The following day was the 25th of December. Thus, while the great War Minister lay wrapped in the gloomy trappings of death, all about him glowed the illuminations, festivities, and joys of Christmastide!

On the 26th General E. D. Townsend and General Thomas M. Vincent sat the night out by the side of the dead, so that those who never failed him in life had the honor of keeping the last vigil in death.

In accordance with his wish that no display whatever be permitted at his funeral, the plan of the United States Senate and the request of the House of Representatives for a State funeral were denied. No formal guard of honor was about the bier, no soldiers

or marines in front of the house, nothing save drawn curtains and sad faces indicated anything out of the ordinary in the Stanton home.

Previous to closing the casket and bringing it down to the parlor for the funeral, which occurred on the 27th, a few of those who had been most intimate with the deceased were permitted to have a last look at the strong but kindly features, now "scarred by the crooked autograph of pain."*

The simplest form of the Episcopal burial services was then read by the Reverend Mr. Starkey, assisted by the Reverend Dr. Pinckney and the venerable William Sparrow, after which a corporal, a sergeant, and eight privates of Battery F, Fifth Artillery, in full uniform, bore the coffin to the hearse and attended it to the cemetery. Secretary of War Belknap, Postmaster-General J. A. J. Creswell, United States Senators M. H. Carpenter, Charles Sumner, Zachariah Chandler, and George F. Edmunds, Representatives Judd and Hooper, Associate-Justice Swayne, Justice D. K. Cartter, Generals J. K. Barnes, Thomas T. Eckert, and E. D. Townsend, and the Honorable Edwards Pierrepont acted as pall-bearers.

Notwithstanding its simplicity, the funeral was imposing. President Grant and his official household, Vice-President Colfax and his retinue, the justices of the United States Supreme Court† in a body; all officers of the army and navy in and about Washington in full uniform; the officers of the War Department and of the District of Columbia; delegations from patriotic bodies in Philadelphia, Baltimore, New York, and Pittsburg; special delegations representing the Union League; senators and representatives in Congress in separate bodies; and Federal officials as well as diplomats and distin-

*"As the casket was about to be closed," says Major A. E. H. Johnson, "several senators expressed a desire to possess a lock of the great War Minister's hair, and I too wanted one. Thereupon Surgeon-General Barnes, taking a pair of small scissors from his pocket, lifted the heroic head of the sleeping tyrant and clipped a compact curl from the back of it, which he enclosed in a white envelope and slipped into an inner pouch of his military coat. I grieve to say that I did not secure a part of it, and I never knew what became of this precious memento, snatched from the grave, of the most powerful, wilful, fearless, and disinterested patriot who ever lived on this continent."

†Justice Grier had the unique experience of attending, in his official capacity, the funeral of his own successor.

guished persons generally, gathered in front of the house and waited through the ceremony in a cold, drizzling rain in order to join the procession to Oak Hill Cemetery,* overlooking the Potomac River. The hearse was drawn by four gray horses draped in black and the coffin and the grave were heaped with floral tributes.

And so the most gigantic and invincible patriot of the age, amidst censure, poverty, and humiliation, wrecked by superhuman labors to save his country, lay down to rest!

* "When he requested me to act as one of his executors," says General E. D. Townsend, "Mr. Stanton said that he wished to be buried in Steubenville, where he was born, and that he had arranged in that city the spot in which his body was to lie. I never knew why his wish was disregarded and think that Mrs. Stanton may not have understood that he had expressed any desire as to his final resting-place."

John McCracken of Steubenville, says: "The last time he was in Steubenville, in September, 1868, Mr. Stanton visited the cemetery and on returning came to my office much affected. Calling for the cemetery plat, he made a mark at a certain place on his lot, saying: 'There, John, is where I shall lie at last.'"

CHAPTER LXIX.

PROPERTY — LAST WILL.

Stanton's life closed amidst extremely straitened and humiliating circumstances. Mrs. Stanton was wasting away with consumption and several times, notwithstanding the skill and persistency of Surgeon-General Barnes, was expected to precede her husband to the grave. He himself was unable to earn, and, having no money,* received the necessary medicine for himself and wife from the hospital stores of the War Department through the Surgeon-General, whose long-continued professional services were likewise without price.

The estate was settled without controversy under a will drawn with his own hand, according to family custom for nearly two centuries, as follows :

I, EDWIN M. STANTON of Washington, do make, publish, and declare this writing as and for my last will and testament, thereby revoking and annulling all other wills by me heretofore made.

1st. I direct all my just debts to be paid.

2d. The surplus of my estate (except as hereinafter expressed) real, personal, and mixed, and all my goods, chattels, moneys, and effects not otherwise herein disposed of, wheresoever situated, shall be divided as follows:

3d. I give, devise, and bequeath two-thirds thereof to my wife Ellen H. Stanton and her heirs forever to her sole use and behoof in fee simple, including in this bequest my plate and household furniture, charged with two-thirds of my debts.

*Edwards Pierrepont, at a dinner in New York, mentioned Stanton's financial extremities as a matter deserving public attention. In a few moments a testimonial gift of \$100,000 was subscribed and Mr. Pierrepont selected to present it in person. Stanton, who was found in bed, wept tears of gratitude over the generosity of his friends, but, in words that were scarcely equal to a whisper on account of the depth of his emotion, said he could "accept no gratuities."

4th. The remaining one-third of my estate I give, devise, and bequeath to my executors in trust for the use of my mother (charged with the payment of one-third of my debts) for the term of her natural life, and at her death the surplus, if there be any, to be equally divided between my three youngest children or the survivor of them as their mother may appoint; or she may apportion and distribute it according to her own judgment of their necessities and merits. One-fourth of my law-books I give to my son Lewis.

I give my executors, or a majority of them, or a majority of the survivors, power to sell or rent or otherwise dispose of or convert to my mother's use, and to invest or reinvest according to their discretion.

I appoint my friend Peter H. Watson of Ashtabula; the Honorable Andrew Wylie and E. D. Townsend of Washington; and my wife Ellen, executors of this my last will and testament.

Edwin M. Stanton.

Signed, sealed, published, and declared by Edwin M. Stanton as his last will, which we attest as subscribing witnesses at his request in his presence and the presence of each other, this 19th day of July, 1869.

R. R. S. Harrison,
George T. Chapman,
J. K. Barnes.

Like the traditional Stanton will, the foregoing is exceptional for clearness and brevity. It is likewise notable for bequeathing one-third of his entire estate to his aged mother, and nothing, not even a portion of his law library,* to his oldest son, Edwin, who was also a lawyer.

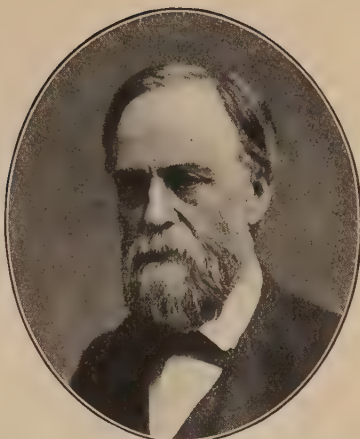
The court appointed as appraisers General J. K. Barnes and General Thomas M. Vincent, who listed the property of the estate so as to enable the executors to turn over one-third to Stanton's mother and two-thirds to his widow. The Steubenville house sold for \$7,500; the K Street house in Washington for \$41,000; other property for something like \$5,000; Congress voted to Mrs. Stanton a sum equal to the annual salary of an associate justice—\$5,000—and there was \$10,000 life insurance, which was promptly paid.

Besides, after Stanton's death, a testimonial fund of \$100,000 was raised, mostly in New York, Philadelphia, Pittsburg, and Chi-

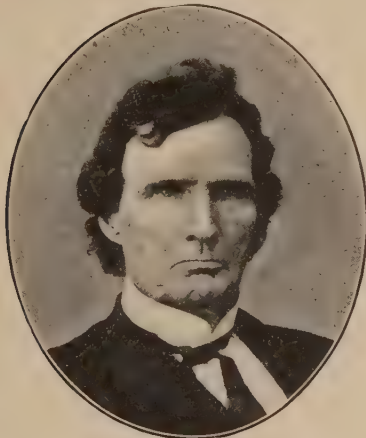
*R. T. Hunt of Pittsburg, who settled the affairs of Shaler, Stanton, and Umbstaetter and delivered the Stanton library and papers in Washington says: "Mr. Stanton had a fine library and especially a large and a very valuable collection of English reports. For several years he spent all his surplus earnings in buying anything that would help him in the great cases in which he appeared before the United States Supreme Court."



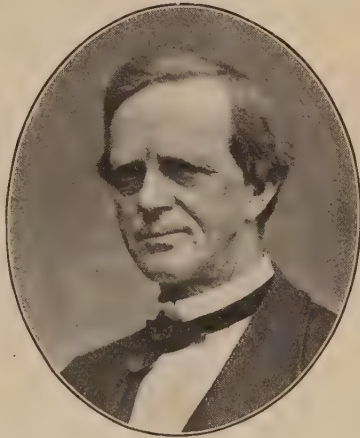
STEPHEN A. DOUGLAS.



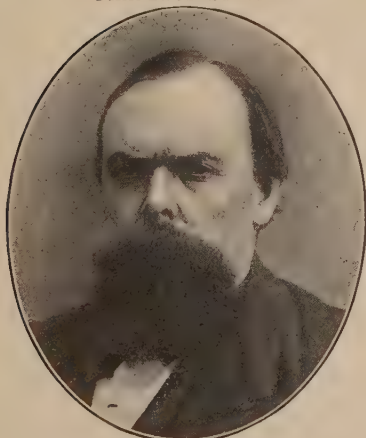
ABRAM S. HEWITT.



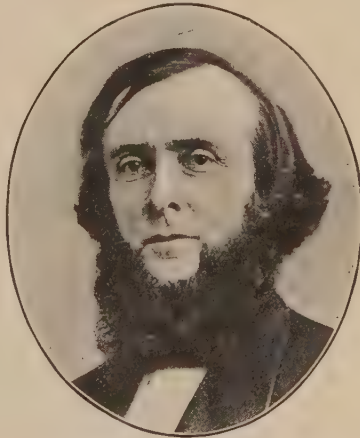
THADDEUS STEVENS.



LYMAN TRUMBULL.



OLIVER P. MORTON,
War Governor of Indiana.



EDWARDS PIERREPONT.

cago, which sum was curtailed a little, however, by debts contracted in Pittsburg in 1867 and by two or more failures among subscribers.

Thus, although he himself died in financial distress, his family was placed in permanent comfort.

CHAPTER LXX.

SIDELIGHTS—GLEAMS OF CHARACTER.

No man in American history has been so thoroughly misunderstood as Stanton. Much as he loved and trusted certain men, he really trusted no man fully. One friend or counselor was permitted to know all about this or that matter, and another all about something else; but he was completely confidential with no two persons on the same subject. Each man who knew him at all intimately knew things not known to any one else, and thus arose the many differing views which, however, are all essential to the final picture which shall have some approach to completeness and correctness.

Annie Collier Meredith of Omaha, who was reared with him, says:

Mr. Stanton was an angel in his family and to the weak and poor, but the very fury in the pursuit of his purposes among men. The exhibition of his tremendous energy sometimes injured the feelings of his best friends; but he always made amends afterwards and was grieved over the havoc that had been wrought. One of my childhood tasks was to recite Longfellow's "Psalm of Life" for him. He liked the verse,

"Trust no Future, howe'er pleasant!
Let the dead Past bury its dead!
Act, act in the living Present!
Heart within and God o'erhead!"

When I had finished he would invariably say, in his impetuous way, "Say it again; please do." Then he would look thoughtful and remain quiet for some time.

An old friend, Davison Filson of Steubenville, Ohio, contributes this:

When I was carrying on house and sign painting here, I did all of Mr. Stanton's work in that line. He was not a man to dicker and try to get his work done cheap. He never asked me what a thing would cost, but explained what he wanted and then, "Do it and make out your bill." He never objected to or delayed paying a bill. He was a man of business—full to over-flowing all the time, scarcely taking time for his meals. You

could never catch him napping. He was always wide awake, and true to his convictions to a dot. When court called he was there and ready with his cases, all of them. In his house I have often been, and a more pleasant home did not exist—all mildness; but when he was among men he was another creature, exerting his great powers, and was the leader. When he was a boy he was the leader of boys, and that characteristic followed him through life. He knew his power and did not hesitate to use it; the wreckage thus made he attended to later, after he had won.

Colonel Charles Shaler of Washington recalls some of Stanton's qualities:

When in partnership with my father, in Pittsburg, it was Mr. Stanton's habit, as a big case came on, to shut himself up in his room over the office, sending down for the books and papers that he needed, and work night and day till his task was done. As he lighted the gas at such times, he never knew night from day. When he emerged he was a formidable adversary. In fact he was dreaded by all attorneys, and some of them were careful not to take cases against him.

He studied as thoroughly against as for his clients and, as father said, always went into court under arms, aggressive, powerful, and destructive, losing sight of everything except a determination to win. He thus made enemies that he really did not deserve or wish, for, as a matter of fact, he was the most tender and kind-hearted man in the world. To me, and as I saw him in private intercourse, he was sweet and lovely, but I often realized what a rough-riding bull-dog he was when, under full headway, he contended with all his might for his clients as though life depended upon winning.

Thus David McGowan of Steubenville:

After he had made a great reputation, the toughest cases naturally came to Stanton for defense. I recall, however, when he first began to practise, that he refused a very large fee offered by a criminal for defense. He said he could better go without money than be defeated, as he certainly should be. He wanted to acquire the reputation of being a winner, knowing that in time such a reputation would bring fees enough. He practised to the full that part of the ancient oath of an English barrister which bound him "to make war for his clients," and he cordially agreed with Lord Brougham that "a lawyer's fealty to his client is above that to his king."

The venerable Judge Thomas Mellon of Pittsburg analyzes Stanton's powers:

Mr. Stanton's forte did not lie in formal orations or eloquent display of language, but in plain, clear, forcible statement and logical argument. On these lines he was nearly invincible; and in the examination or cross-ex-

amination of witnesses he was remarkably successful in getting out testimony to his advantage. He asked questions in so plain and natural a manner as to disarm the witness of all suspicion of being led into statements favoring the examiner's theory.

This feature of his skill resembled the precision of statement and logical result of a proposition in Euclid. He never became boisterous, but always was so audible and explicit that the court and jury and those interested in the case could hear and feel the force of every word he said. His speeches and arguments were more noted for brevity than profusion. Every element of his argument seemed to fit its place so well that any other conclusion than that intended was precluded.

He had another element of professional ability to a degree that was marvelous—preparation. In a few, brief, but pregnant questions to his client he could ascertain clearly the leading principles involved in the controversy and could state them and place them in the most logical position available for his purpose. When he once settled on a procedure it had to go through on the lines laid down unless defeated by invincible law or fact presented on the other side, and he always had his case so well prepared before going to trial that the trial more resembled the placing of the well-fitting parts of a complicated machine than the discussion of disputed facts and legal propositions.

Of course he was successful—more so than any lawyer I ever knew. I believe his executive ability was beyond any limit the ordinary mind can fix.

Judge William Johnston of Cincinnati thus discloses Stanton's sympathetic heart:

When Mr. Stanton lived in Steubenville and practised law in Pittsburg, passing back and forth on the river steamers, he found a man lying on the forward deck one evening, with a broken leg. "Why is this sufferer not attended to?" he inquired of the captain, who replied that the man lived in Pittsburg and would receive attention there. From a carpenter's chest he secured a saw and ax with which to cut splints, and, taking a sheet from a stateroom, set and bandaged the fracture. He then brought vinegar and water from the cook's room with which to steep the swollen parts, and during the ninety miles of the trip from Steubenville, sat by the injured man applying the bath. When the boat reached Pittsburg he hired a carriage and took his patient home. And so he was through life—great in emergencies, available when all others failed.

Reverend Joseph Buchanan of Steubenville describes Stanton's habits:

My friend Stanton was a man of tenderness and austerity. His own habits were exemplary, and he watched the morals of his son Eddie with steady care. I was Eddie's tutor for several years. On a certain occasion I wished him to attend some lectures and experiments in chemistry,

but since they were to be given at night, Stanton would not allow him to go. He said: "Eddie's morals are paramount to all the education he can get." He was afraid the boy would fall in with bad company. He was a man of character, of immense power, who feared nothing.

Mr. Stanton never passed a child on the street or elsewhere without stopping to notice it and pat it on the head. "If he learned that a child was unable to attend school for want of books," says Mrs. Davison Filson of Steubenville, "his hand went instantly into his pocket and the want was supplied. He completely melted in the presence of children. He often said that one of the sweetest things in the Bible is where Christ says: 'Suffer little children to come unto Me, and forbid them not, for of such is the kingdom of Heaven.'"

Mrs. E. D. N. Southworth recalls her first glimpse of Stanton:

In 1857, I think, I attended a reception given by Colonel John W. Forney, in Washington. Two persons present attracted my attention and left an impress upon my mind that can never be obliterated. They were Edwin M. Stanton and Edwin Forrest. Forrest was famous, but I had not heard much of Mr. Stanton. I did little else during the evening than watch them, for they seemed to be the embodiment of power. They were revelations to me in human development. As part of the literary exercises of the evening, Forrest recited "The Fool and his Dead Mother" with such strange pathos and genius that I thought my heart would break. Near me, in a corner, stood Mr. Stanton; and when I dared to turn my eyes and saw tears streaming down his face, I felt better, and I loved him ever after. He had a heart and was not afraid to let the assemblage see that it was human and tender. All really great men have great and tender hearts.

"Mr. Stanton always had a profound reverence for the Supreme Being," says Asa G. Dimmock of Cadiz, Ohio, "but at one time was disinclined to regard the Bible as an inspired work. Finally he took a copy of it into a room in his dwelling, and, turning the key, resolved not to come forth until he had satisfied himself on that point. He continued in his room so long a time that his young wife became alarmed, fearing he was going crazy. He emerged at last fully satisfied that the Bible is what it purports to be, the Word of God, and he never thereafter doubted."

Major A. E. H. Johnson, who associated with Stanton for a dozen years, says he "never heard the Secretary use an oath but once and that was the single expletive 'damn.'" One day an orderly rushed to the Secretary's house with the cry that the War Department was on fire. Mr. Stanton left his dinner and ran his

team to the office, where he found a room next to his own filled with fire and smudge from a pile of papers ignited by the pipe of a certain general. "He was furious," says Major Johnson, "and, sending for Adjutant-General Townsend, exclaimed: 'Turn out that damn creature with the pipe; find quarters for him outside of the building,' and it was done, for the old building was a tinder-box."

Dr. William P. Johnston of Washington, who attended Mrs. Stanton during a serious illness in 1860, says Stanton watched by the bedside of his wife incessantly, tears falling when her sufferings were severe. "I was from the South," he says, "so when the Confederate prisoners began to arrive and need medical assistance, I secured permission to attend them. From his own purse he contributed fifty dollars to a fund to be expended by F. B. McGuire, Dr. Jas. C. Hall, and myself for those requiring special foods and delicacies. He was very high-minded and generous, and those Confederates who really knew him permit nothing to be said about him that is disrespectful."

"When I was ill, yet trying to operate my telegraph instrument in the War Department," says A. J. Safford of Washington, "Mr. Stanton sent his own physician to prescribe for me and came every day to my table inquiring kindly how I was getting along, and what I intended to do when the war closed. He was equally solicitous for others if they were in trouble or distress. He may have seemed to those who did not know him, like Cardinal Wolsey, 'lofty and sour'; but to those who knew him he was 'sweet as summer.'"

Adjutant-General Townsend remembers that soon after hostilities ceased he laid before Stanton the findings of a court-martial which condemned a soldier to be shot. "Usually," says the General, "which fact gave commanders such great strength in the field, the Secretary never reversed the findings of his officers; but this time he drew back in horror. 'Blood enough, blood enough,' was all he said, and the man was not shot." In armed conflict he was the ideal embodiment of aggressive ferocity, of the spirit of war, but "in peace shuddered at the sight or thought of blood and his heart was wrung by the pains and sorrows even of strangers."

William H. Whiton, who was chief clerk in the office of Military Railways during the Rebellion, and knew the inner workings of the War Department intimately, relates this incident:

I went to the War Office after 10 o'clock, one night, to consult Mr. Stanton. I found the mother, wife, and children of a soldier who had been

condemned to be shot as a deserter, on their knees before him pleading for the life of their loved one. He listened standing, in cold and austere silence, and at the end of their heart-breaking sobs and prayers answered briefly that the man must die. The crushed and despairing little family left and Mr. Stanton turned, apparently unmoved, and walked into his private room. My own heart was wrung with anguish. It seemed to me that Mr. Stanton must be a demon—the very incarnation of cruelty and tyranny.

I was so dazed that, forgetting myself, I followed him into his office without rapping. I found him leaning over a desk, his face buried in his hands and his heavy frame shaking with sobs. "God help me to do my duty; God help me to do my duty!" he was repeating in a low wail of anguish that I shall never forget. I quickly withdrew, but not until I had seen a great light. I have loved, almost revered Edwin M. Stanton ever since. His own heart perhaps was suffering more intense agony than the hearts of his humble petitioners, but he was compelled to steel his outward face for the bloody duties of war, while within, his soul was warm with sympathy and sorrow for its victims.

The War Office austerity mentioned by so many was assumed as an unavoidable duty. He did not care to attract the public or create friendships; his time could not be taken from his duties for personal intercourse or his judgment warped by personal affections. He did not joke or play or rest when there was duty to perform, but submerged heart and soul in a supreme effort to restore the Union. To Samuel Hooper, congressman from Massachusetts, he said in 1867: "I have not seen a bright and happy day since I entered the cabinet and not a well day since childhood. If the pyramids were upon my heart, the load would be light compared to the weight of perplexity and anxiety I have to bear."

D. Homer Bates of New York, born in Stanton's native city, a cipher operator and translator in the War Office from the beginning to the close of the Rebellion, testifies that the Secretary's austere and sometimes imperious official manner was a necessary armament of the hour. Reporting one evening at the Soldiers' Home with important messages, he found Stanton entirely relaxed and playing on the grass with one of his children. "He invited me to a seat on the sward," says Mr. Bates, "and, after we had finished our business, proposed a game of 'mumble the peg,' which he entered into with the relish of a boy."

Colonel J. B. Montgomery of Portland, Oregon, relates that on entering the War Department one day he found the Secretary "half-dead" with congestive asthma. "In response to my inquiry he said that he had made a quick journey to Ohio to surprise his aged

mother on her birth-day, as he always felt that each one might be her last, and the sudden change resulted in a congestive chill. 'I went by night and returned by night,' said he, 'and gave mother great delight; but you see the price I have to pay.'"

William Stanton Buchanan, who knew him intimately from childhood, says Stanton, while very sparing in his own expenditures, was generous with his family and to the poor. "Every year scores of turkeys were sent by him to humble cottagers who knew no other Christmas bounty. He was a mastodon among his adversaries, but a good Samaritan among the weak and distressed. He was predisposed to insanity in times of distress, but otherwise possessed a brain of divine clearness and power."

An attractive picture of the real Stanton is drawn by Mrs. General Rufus Saxton of Washington, as follows:

Secretary Stanton was our guest at Beaufort, North Carolina, in January, 1865. On arriving he said that fatigue would compel him to retire early; but after dinner, entering our bare, uncarpeted sitting-room, with its few dim candles but a large wood fire on the broad hearth, he sat down in front of the blaze and chatted brightly. Examining the books on the table, his face grew animated and he exclaimed: "Ah, here are old friends," and taking up a volume of Macaulay's poems, he turned to me, saying: "I know you love poetry. Pray read us something—anything. Poetry and this fire belong together." I read "Horatius at the Bridge," and returning the book to him, said: "I know you love poetry, Mr. Stanton; please read to us." He at once complied, reading finely "The Battle of Ivry" and other poems.

He was in his most genial mood. Every nerve seemed relaxed; and as one after another of the numerous guests departed, he still sat in front of the dying embers till long after midnight, repeating snatches of poetry or indulging in that "leisurely speech or the higher power of silence—the quiet evening shared by ruminating friends."

The next morning we drove him out on the "Shell Road," where the live-oaks were draped with graceful gray moss, the birds singing and the air was soft and bland. His capacity for enjoyment seemed intense. He leaned back silent in the carriage, gazing at the blue sky, seeming in spirit to "soar with the bird and flutter with the leaf." The Titan War Secretary was replaced by the genial companion, the man of letters, the lover of nature—the *real* Stanton, who expressed again and again his rapturous enjoyment of the surroundings.

Tracing his prodigious labors has developed so many surprises that there seems to be room for nothing additional in that line. Yet, considering the pressure and multiplicity of his duties, the omnipresence of his solicitude for those on whom the nation depended



STANTON'S TOMB, OAK HILL CEMETERY,
Washington, D. C.

for its life is indeed surprising. Whenever Lincoln moved away from the White House he knew of it and provided one or more trustworthy officers to watch and protect him; he sent warnings to him by telegraph to keep away from the missiles of battle at the front; he frequently advised, almost commanded Grant to avoid exposure to death; while watching Lincoln's life-blood ebb away at midnight he lifted himself out of the confusion of the hour to telegraph precautions for the safety of Grant, then en route from Philadelphia to Washington; he created time to visit or write to every sick or wounded officer and, when battles were in progress, stood at the telegraph instruments night and day urging extra energy in bringing away and caring for the wounded.

His mind was literally everywhere. No dangers arose that he did not recognize or had not anticipated. For instance, although he had not slept since the night of April 13, 1865, and was concentrating every power of the Government and every resource of his nature to capture Lincoln's assassins, he still remembered his generals in the field, telegraphing to Hancock on April 16: "It may be useless to caution an old soldier like yourself to guard against surprise or danger in holding an interview with Mosby, but the recent murders show such astounding wickedness that too much precaution cannot be taken." And to Sherman he telegraphed on the 15th: "I find evidence that an assassin is on your track and beseech you to be more heedful than Mr. Lincoln was of such knowledge."

And thus he was throughout the war, forgetting nobody—save himself!

L. A. Somers of Cleveland describes Stanton's last visit to Ohio:

When the elections of October, 1868, which were expected to indicate whether General Grant would be elected president in November, were in progress, Mr. Stanton was the guest at Ashtabula, Ohio, of Peter H. Watson. General Anson Stager, manager of the Western Union Telegraph Company, as a compliment, strung wires so Mr. Stanton could hear the election returns in Mr. Watson's house. I had been an operator in the War Department and was sent to receive the returns, becoming also Mr. Watson's guest.

While Mr. Stanton's face was unwrinkled and his eyes bright and keen, he seemed worn out and exhausted, and kept almost constantly in his room, breathing heavily and with great difficulty. He was very cheerful and affable while listening to the returns amidst fifty or sixty guests, among them Senator B. F. Wade, and seemed much pleased to note the increased

Republican majorities at points where he had spoken; but he was modest, not posing as a great man or claiming any particular credits.

As the wires were not removed for several days, I saw considerable of him. He was cheery and pleasant, free from rancor and apparently at peace with the world. He was inviting, kind, and considerate—in very strong contrast to the aggressive engine I had seen (when an operator in the War Department) driving the blood-letting machinery of the war. His intellect was masculine and powerful, but there was something almost womanly in the kindly and sympathetic quality of his intercourse. He was, and I saw him in both situations, as sweet and gentle in private as he was unyielding and omnipotent in public. When I left Mr. Watson's he came out to the carriage to bid me good-bye, and I never saw him again.

"Through Mr. Stanton's hands," says General E. D. Townsend, "poured myriads of orders—the suspensions, promotions, dismissals, arrests, and pardons of the great Rebellion—yet he made fewer mistakes than any of his contemporaries, not one of whom had a hundredth of his duties and responsibilities."

"The Secretary was not a man of hasty judgment," says General T. M. Vincent, who knew him from childhood, "and he did not make mistakes, never a serious mistake. He acted quickly, but he possessed the capacity to do so, and he knew the details of the enormous operations of the War Department so perfectly that generally his acts required no premeditation. He swept through the voluminous volunteer code, revamping and amending it, in fifteen minutes, and it stands to this day a fine example of comprehension and perfection."

Colonel John W. Forney thus describes Stanton: }

He thought quickly and wrote strongly. He could give the keynote for a campaign, which, sounded in the columns of a newspaper, would thrill a continent. It will be years before his biography can be written or his measure taken. He died with a reputation that will live as long as our liberties, and yet with less available incident to delineate his great deeds than has ever fallen to the lot of any public man. The mere statement of a fact so uncommon is the best portrait of Edwin M. Stanton. His example is stamped over the whole volume of the war. It was infused into the cabinet; it fired the armies; it uplifted the people; it made integrity the road to honor in civil as it did valor in military life; it taught the public man the great lesson of disinterestedness; it shamed the aspirant for office into self-sacrifice and by its own complete surrender to country, made patriotism a vital element of the nation's strength.

Albert Gallatin Riddle draws this vivid picture:

Up-stairs in a dingy office on Seventeenth Street throbbed and worked the heart and brain, the mighty main-spring that drove with terrible energy

the gigantic machinery of the war; and there never was a time under the severest pressure, that there did not still lie unemployed in the man energy and power enough to propel the governmental machinery of the civilized world. Men say that he was rough. Of course he was. He was a primal force of nature, used to break up the old crust of the earth, throw up new mountains and change the configuration of a continent. I fancy him in twilight solitude, by some sounding sea, quarrying a mountain, and throwing up a giant's causeway in a single night!

The extinction of the Rebellion by force—that was his task, and no fateful destiny ever moved more inexorably than he in its performance. He could see and hear and know nothing else; whatever would help he used, and whatever would hinder was ruthlessly thrust by; nothing could deter or divert. Though the earth wavered like a storm-tossed sea, he stood firm; though it was covered with dead men, he saw them not; though the bosom of the storm discharged fire and blood and gobbets of human flesh, he seemed unconscious of it.

Mr. Riddle's hyperbolic description contains much truth. If the Rebellion had been a contest with a foreign foe and Stanton, in health, had been sustained by the whole people united and enthusiastic, how glorious, how unapproachable, would have been his achievements!

While no study of Stanton's character has been complete, all who have made an examination of his qualities without prejudice agree that he was a human Gibraltar. But even Gibraltar shakes when the earthquake comes. When his wife Mary died in 1844, his passionate grief was so deep and terrible that, for two or three days, his mind was unbalanced; and so it was, in a lesser degree, when his brother Darwin died by his own hand in 1845. In July, 1862, when General McClellan sent word by his father-in-law that unless he could have "immediate relief" and be free from orders and control from Washington, he should surrender his armies to Lee, Stanton, having a dying child in his house, was swayed mightily.

For a moment his soul wavered (though the world could not possibly suspect it) when Lincoln fell by the hand of an assassin. That blow, upsetting the plans of years, swept away the masts, sails, anchors, and compasses and compelled him to make a new beginning of the Federal fabric, himself a wreck, upon a mass of wreckage.

However, nothing checked him. He was always busy, always pushing. He utilized every moment, realizing that just ahead, at a fixed spot almost in sight, was the end, the grave; and he knew, therefore, that the greatest success would come to him who wasted the fewest moments.

As he squandered no time, so he wasted no words. In the War Office the single word "rebel" was all he ever used to designate the secessionists, no matter whether inditing a gazette or composing a bill to be enacted into a law by Congress. This habit of employing condensed phrases and shot-like sentences made his writings and utterances seem dramatic, yet they were merely direct, powerful, time-saving, natural.

He loved intensely, planned to win, believed he was right, and was impatient of delay. He thought that sweeping away all obstacles in a direct line to success was just, and, being a man of perception and comprehension, foresaw conclusions and results where others were compelled to grope to them. To him all things were clear and in the War Office the time was war time; therefore he used concentrated and emphatic expressions which, in this less intense and sensational day, seem vehement or extravagant. His blows were like the strokes of the weaver's beam; every impact was felt to the center.

He wanted fighting everywhere, by everybody, all the time. As he was always strung up to push, to rush the war, he could not fully relax when he turned aside suddenly to indite a letter or issue a bulletin, but unconsciously fused these lesser communications by the terrible intensity of his processes into the bolts he was accustomed to use in the War Office.

It is noticeable that, so far as known, no member of the Lincoln or Johnson cabinets save Salmon P. Chase ever spoke kindly or favorably of Stanton. Of course not. They hated him. He was too big for them—a great, brainy bull-dog in the cabinet and an irresistible force in the War Office. They felt dwarfed by his overmastering character and jealous of the power and influence that naturally flowed from as well as toward him. They were too little to see as he saw, to comprehend as he comprehended; too weak to strike the lesser anvils of their duties in unison with the tremendous blows that he dealt day and night to the enemies of his country; too shallow to brush aside, as he did on great occasions, the gathering cycles of time and reach futurity at a single bound.

Such men make enemies as well as victories. Others were carried forward by the gale; Stanton was the gale itself. His colossal work, pursued with masterful energy night and day, was wrath-provoking. Those who sued for favors, those who wanted special privileges and those who desired to modify the war policy of the

Government or break the rules of the military establishment for their own benefit, were swept off their feet and out of sight. If they ever reappeared, it was as critics and enemies of the giant who was striving for his people at a time when every day was a year and every act a foundation-stone in the nation's history.

He was always great when others were little. Disaster and opposition but roused the mightier measures of his power, and when others were defeated and depressed, he was puissant, supreme. Standing in the narrow gorge of the War Office, he heroically stemmed the headlong stream of tremendous events, successfully directed the burning wheels of national wrath and fixed the destiny of freedom in the New World. Full of the spirit of power, he ever bore with him the conscience of his fight, and one day will,

Like some tall cliff that rears its awful form,
Swells from the vale and midway meets the storm,

be the most majestic figure of the century.

The Republic is his monument; the Rebellion is his biography.

CHAPTER LXXI.

STORM-SWEPT.

It was snowing and blustering on the day Stanton was born—December 19, 1814; blowing and drifting on the evening of his marriage—December 31, 1836; sleeting and gusty on the day his wife Mary was buried—March, 1844; dangerously tempestuous during his ocean trip to California in 1858; snowing and drifting when he was summoned from Pittsburg to a place in Buchanan's cabinet in December, 1860; blowing a gale when he was selected to be secretary of war in Lincoln's cabinet in January, 1862; snow-squalling and boisterous when, just a week later, he took the cabinet minister's oath of office; cyclonic the night he steamed down the Chesapeake to capture Norfolk and sink the *Merrimac* in May, 1862; rainy and stormy when President Grant selected him to be an associate justice of the United States Supreme Court in December, 1869; witheringly cold and windy when (December 20) he arose from the sick-bed to go to the White House to thank Grant in person for the honor thus conferred upon him; sleeting and storming on the night of his death (December 24, 1869) and cold, foggy, drizzling, and gloomy on the day of his burial—December 27, 1869.

Every hour of his public service—Prosecuting-Attorney of Harrison County, Ohio; Public Prosecutor of Steubenville; Government Attorney in the enormous California land frauds; Attorney-General in Buchanan's cabinet; Secretary of War under Lincoln and Secretary of War under Johnson—was a contest with the enemies of his country and of society.

He was racked by asthma from childhood; denounced and assailed incessantly during his entire career as Secretary of War; crowded out of office after a stormy but patriotic struggle in which he prevented President Johnson from seizing the army, shackling Congress, and renewing the war; and, then, worn out, poor, and broken-hearted, laid down to die.

After life's fitful fever, he sleeps well.

INDEX

A

Ableman vs. Booth, 135.
 Adams, C. F., 285.
 Adams Express Co., 244.
 Adams, J. E., 85.
 Alabama, 97, 102, 316.
 Alameda, 72.
 Albany, 87, 245.
 Alexandria, 149, 174, 175, 176, 177, 178, 349, 402.
 Allegheny, Arsenal, 84.
 Allegheny, County, 53.
 Allison, W. R., 345.
 Amendment (Trumbull) of Constitution, 21.
 Ames, E. R., 229, 371, 372.
 Anderson, Lewis, 22.
 Anderson, Robert, 85, 86, 87, 92, 93, 94, 95, 96, 98, 274, 275.
 Andersonville, 233, 236, 238.
 Andrew, John A., 135, 136, 137, 405.
 Andrews, Colonel, 242.
 Andrews, E. F., 61.
 Andrews House, 39, 79.
 Andrews, John, 359.
 Annapolis, 234.
 Antietam, 191, 192, 232.
 Appomattox, 263, 379.
 Aquia Creek, 173, 174.
 Arkansas, 232, 316, 354.
 Army, Confederate (see Confederacy).
 Army, Corps Sixth, 388.
 Army of Northern Virginia, 273.
 Army of the Cumberland, 21, 203, 204, 207, 226, 349.
 Army of the James, 222, 395.
 Army of the Potomac, 140, 142, 149, 158, 171, 172, 176, 179, 193, 194, 199, 203, 222, 227, 352, 357, 378, 395.
 Army of the Tennessee, 395.
 Army of the West, 142.
 Arnold, Samuel, 286, 287.
 Arsenal, Allegheny, 84.
 Arsenal, Indianapolis, 251.
 Ashley, J. M., 187, 190, 312, 313, 339, 403, 404.
 Ashtabula, 313, 399, 412, 421.
 Aspinwall, W. H., 180, 193.

Asthma, 27, 31, 45, 73, 324, 395, 400, 419, 426.
 Atlantic and Ohio Telegraph Co., 216.
 Atlantic, Department of the, 331.
 Attorney-General,
 Bates, Edward, 119, 177, 271.
 Black, J. S., 67.
 Speed, Jas., 287, 303.
 Stanbery, Henry, 316, 317, 340.
 Stanton, E. M., 19, 82, 87, 88, 93, 98, 112, 385, 426.
 Atzerot, G. B., 286.
 Augur, C. C., 279.
 Augusta, A. T., 189.

B

Badeau, Adam, 305, 368, 380.
 Baglioli, 73.
 Baker, L. C., 255, 281, 294.
 Baldwin, G. W., 222.
 Balls' Bluff, 135.
 Baltic, The, 107.
 Baltimore, 36, 96, 115, 152, 166, 201, 277, 287, 342, 346, 352, 356, 362, 371, 372, 391, 409.
 Baltimore and Ohio Railroad, 281, 354, 356.
 Baltimore *Patriot*, 96.
 Baltimore *Sun*, 193.
 Bank,
 Farmers' and Mechanics', 32.
 Harrison National, 34.
 National Metropolitan, 344.
 Of Pittsburg, 24, 353.
 Of Steubenville, 36.
 Of the United States, 43.
 Riggs and Co., 344.
 Banks, N. P., 150, 203, 232, 382, 401.
 Barlow, S. L. M., 116, 121, 122, 123, 130, 197, 391.
 Barnard, J. C., 138, 139.
 Barnes, Dr., 46.
 Barnes, J. K., 143, 282, 283, 294, 310, 365, 403, 408, 409, 411, 412.
 Barnwell, R. W., 85, 87, 94.
 Bat, The, 261.
 Batcheler, C. W., 55.
 Bates, D. H., 217, 219, 222, 419.
 Bates, Edward, 119, 177.
 Baton Rouge, 339.

Battles and Leaders of the Civil War, 121, 180.
 Battle of
 Antietam, 192, 232.
 Balls' Bluff, 135.
 Bull Run, 109, 366.
 Fort Donelson, 384.
 Gettysburg, 142.
 Island No. 10, 371.
 Manassas, 386.
 Pea Ridge, 371.
 Pittsburg Landing, 371.
 Shiloh, 143, 368.
 South Mountain, 192.
 Vicksburg, 384.
 Baxter, Mr., 387.
 Beatty, Mrs. Hetty, 23.
 Beaufort, N. C., 25, 420.
 Beauregard, P. T., 110, 395.
 Beckwith, S. H., 220.
 Beecher, H. W., 212, 274, 371.
 Belknap, W. W., 409.
 Bell, John, 80.
 Belle Isle, 233.
 Bellows, H. W., 371.
 Benjamin, J. P., 229, 242.
 Bennett, James Gordon, 108, 109.
 Bible, The, 22, 24, 48, 76, 373, 396, 417.
 Bingham, J. A., 286, 340.
 Black, J. S., 60, 67, 70, 82, 83, 89, 90, 93, 94, 97, 101, 106, 131, 132, 303, 320, 322, 326, 331, 332, 340, 359.
 Blackhorse Squadron, 280.
 Blaine, J. G., 140.
 Blair, F. P., 149, 257, 298, 367.
 Blair, Montgomery, 117, 119, 123, 178, 212, 255, 303, 320, 367, 392.
 Blake, J. B., 344.
 Blenker, Louis, 138.
 Bodine, W. B., 349.
 Booth, J. Wilkes, 264, 276, 277, 278, 285, 286.
 Boston, 188, 294, 324.
 Bowie, Miss, 408.
 Boyce, W. M., 103.
 Boyle, J. T., 204.
 Brady, J. T., 215, 242.
 Bragg, Braxton, 232.
 Bridgeport, Conn., 286.
 Brisbane (Brisbin), John S., 309.
 British (see England).
 Breckinridge, John C., 80, 263, 267.
 Bronson, Rev. S. A., 28.
Brooklyn, The, 93, 99, 131.
 Brooks, W. T. H., 198.
 Brough, Gov. John, 244, 356, 367.
 Brougham, Lord, 415.
 Brown, John, 102.
 Brown, Mrs. Warner, 22.
 Brown, Samuel M., 217.
 Brown, Wm., 45.

Buchanan, Jas., 19, 20, 60, 67, 73, 82, 83, 85, 86, 87, 88, 89, 90, 91, 93, 94, 95, 98, 99, 100, 102, 103, 105, 108, 111, 112, 117, 131, 254, 284, 316, 359, 385, 391, 426.
 Buchanan, Jas., Jr., 68, 72.
 Buchanan, The Rev. E. Y., 68.
 Buchanan, The Rev. Geo., 22, 23, 56.
 Buchanan, The Rev. Joseph, 23, 39, 416.
 Buchanan, Wm. Stanton, 38, 39, 51, 79, 144, 402, 420.
 Buchanan's Defense, 108.
 Buckalew, C. R., 343.
 Buckner, S. B., 130.
 Buell, M. V. B., 222.
 Bull Run, Battle of, 109, 366.
 Burgoyne, W. R., 276.
 Burlington, 254, 279, 282.
 Burnett, H. L., 286.
 Burnett, Mayor, 163.
 Burns, Robert, 40.
 Burnside, A. E., 147, 152, 173, 194, 204, 382.
 Butler, Benjamin F., 20, 89, 139, 144, 148, 152, 182, 186, 231, 234, 242, 254, 297, 340, 362, 363, 364, 391.
 Butler, Colonel, 363, 364.
 Butler, "General, in New Orleans," 152.
 Butler, Mayor, 163.

C

Cabell, Mary Virginia Ellet, 164.
 Cadiz, 32, 33, 34, 35, 36, 40, 42, 385, 417.
 Cady, J., 34.
 Cady, Wm., 34.
 Caldwell, A. H., 222.
 Calhoun, Fort, 382.
 Calhoun, J. C., 27.
 California, 20, 60, 65, 67, 71, 72, 80, 107, 118, 131, 426.
 California Land Cases, 66, 67, 72, 80, 426.
 Campbell, John A., 107, 108, 112, 269, 271.
 Canada, 121, 240, 250, 254, 285, 359, 393.
 Canadian Rebellion, 293.
 Canal and Railway Cases, State of Pennsylvania, 20.
 Canby, E. R. S., 242, 243.
 Cape Cod, 324, 403.
 Caribbean Sea, 68.
 Carlisle, J. M., 74.
 Carlisle, Ohio, 198, 396.
 Carpenter, M. H., 326, 327, 405, 406, 409.
 Carpenter's "Six Months in the White House," 259, 345, 385.

Carroll Prison, 294, 370.
 Carrollton, 40, 42.
 Cartter, D. K., 280, 335, 409.
 Cass, Lewis, 53, 54, 82, 83.
 Chalmers, Jas. R., 235.
 Chambersburg, 198, 199.
 Chancellorsville, 210.
 Chandler, A. B., 217, 219, 222.
 Chandler, Zachariah, 405, 409.
 Chapman, G. T., 412.
 Charleston, 68, 82, 83, 84, 86, 91, 92, 93, 99, 102, 238, 275.
 Chase, Philander, 27, 28.
 Chase, Salmon P., 116, 119, 123, 127, 141, 154, 155, 169, 172, 177, 179, 182, 185, 194, 203, 211, 281, 340, 343, 353, 359, 361, 368, 393, 405, 424.
 Chattahoochie Bridge, 227.
 Chattanooga, 21, 203, 204, 205, 227, 232, 389.
 Chesapeake Bay, 154, 158, 426.
 Chicago, 79, 143, 187, 210, 254, 412.
 Chickamauga, 203, 207, 348, 381.
Chronicle, The, 341.
 Church,
 Catholic, 51.
 Episcopal, 66, 103, 373.
 Methodist, 67, 372, 373.
 Of the Disciples, 375.
 Cincinnati, 43, 51, 62, 79, 162, 163, 196, 252, 371, 399, 416.
 Circle of Hosts, 249, 250.
 City Point, 231, 257, 258, 261, 262.
 City Solicitor, 46.
 Civil Rights Bill, 307.
 Clarke, R. W., 337.
 Clay, C. C., 360.
 Clemson, Mrs., 24.
 Cleveland, 48, 60, 79, 147, 206, 218, 267, 309, 310, 350, 384, 395, 400, 402, 421.
 Clingman, T. L., 83.
 Cobb, Howell, 260.
 Cochrane, John, 115, 392.
 Colburn, A. V., 193.
 Cole, Chas. D., 144.
 Cole, Nathan, 144.
 Colfax, Schuyler, 336, 405, 406, 409.
 Collier, D. L., 27, 28, 30, 31.
 Colorado, 315.
 Columbus, Nebraska, 34.
 Columbus, Ohio, 30, 31, 32, 33, 37, 38, 50, 251, 253, 359, 385.
 Cameron, Simon, 114, 115, 116, 117, 119, 122, 123, 127, 129, 135, 136, 197, 201, 216, 341, 400.
 Commander-in-Chief, (General-in-Chief, etc.)
 Grant, U. S., 342, 386.
 Halleck, H. W., 173, 180, 194, 201, 220.
 Lincoln, Abraham, 138, 171, 270.

McClellan, G. B., 124, 126, 195.
 Stanton, E. M., 140, 141.
 Commissioners for the Relief of Prisoners, 229.
 Commissioners Peace, 257, 258.
 Commissioners, Pa. Railway and Canal, 60.
 Commissioners, Secession, 85, 86, 87, 88, 91, 93, 94.
 Committee
 Dawes, 89.
 House Committee on Post Roads, 58.
 Impeachment, 385.
 On Conduct of the War, 119, 136, 137, 147, 225, 236, 238, 345, 358, 387.
 On Loyalty of Federal Employees, 119.
 On Military Affairs, 103.
 On Platform, 37, 38.
 On Reconstruction, 340.
 Union, 110.
 Comstock, C. B., 220.
 Confederacy, Confederate States,
 Confederates, 68, 101, 102, 107, 109, 110, 112, 118, 121, 139, 143, 146, 148, 152, 163, 166, 172, 175, 179, 192, 203, 207, 217, 219, 225, 229, 230, 231, 232, 233, 234, 237, 238, 239, 250, 253, 254, 255, 258, 264, 266, 267, 269, 270, 272, 276, 278, 279, 281, 291, 305, 313, 359, 360, 363, 365, 366, 368, 370, 376, 386, 388, 418.
 Confiscation Act, 20, 184, 190.
 Confiscation Proclamation, 184.
 Congress, 19, 21, 38, 57, 58, 59, 63, 64, 67, 73, 82, 89, 91, 92, 100, 101, 102, 103, 105, 106, 116, 119, 120, 128, 129, 134, 136, 137, 163, 168, 181, 183, 185, 187, 189, 197, 230, 236, 238, 242, 247, 253, 258, 259, 264, 271, 286, 291, 294, 299, 301, 303, 304, 306, 307, 308, 309, 310, 311, 312, 313, 315, 316, 317, 318, 319, 320, 321, 322, 323, 326, 327, 328, 329, 332, 334, 336, 337, 338, 339, 340, 343, 344, 348, 354, 365, 367, 386, 396, 409, 412, 423, 426.
 Congress, Confederate, 219, 232.
Congress, The, 152.
 Connecticut, 286, 341.
Constitution, Washington, 103.
 Convention,
 Baltimore, Presidential, 36, 346, 391.
 Cleveland, 309.
 New York Democratic, 394, 395.
 Ohio Democratic, 36, 37.
 Philadelphia, 309, 394.
 Pittsburg, 394.
 Secession, 101.

Soldiers and Sailors, 309, 394.
 Cooke, Jay, 288.
 Cooke, P. St. George, 254.
 Cooper, Edmund, 342.
 Cooper Institute, 398.
 Cooper Union, 66.
 Copeland, W. B., 85.
 Corbett, Boston, 286.
 Corcoran Institute of Art, 61.
 Corey, J. B., 362, 363.
 Corinth, 163, 167.
 Corning, Erastus, 224.
 Cotuit, 324, 403.
 Couch, D. N., 198, 200, 202.
 Court,
 Canadian, 254.
 Federal, 79, 242, 243, 250, 253, 264,
 311, 319.
 Of Appeals, N. Y., 242.
 Of Claims, 250.
 Of District of Columbia, 287.
 Penn. State Supreme, 61, 243.
 State, 240, 319.
 United States Circuit, 82.
 United States District, 62.
 United States Supreme, 55, 57,
 59, 63, 64, 67, 68, 69, 71, 80, 105,
 106, 112, 252, 264, 269, 271, 326,
 368, 376, 386, 405, 407, 409, 412,
 426.
 Wisconsin Supreme, 240, 241.
 Cowan, Edgar, 303, 320.
 Cox, Gen., 323.
 Cox, S. S., 143.
 Coyle, J. F., 126, 216, 277, 278, 342.
 Craney Island, 153.
 Crawford, Judge, 44, 74.
 Crawford, M. J., 102.
 Creswell, J. A. J., 409.
 Crittenden, J. J., 105.
 Culpepper, Va., 23, 193.
 Cumberland, Army of, 21, 203, 204,
 207, 226, 349.
 Cumberland, The, 152.
 Cummings, Dr. Thos., 47.
 Cummins, Gen., 354, 355.
 Curtin, A. G., 198, 217, 243, 361, 365,
 391.
 Curtis, Gen., 371.
 Curtis, Geo. Ticknor, 105.
 Curtis, Justice B. R., 57, 340.
 Cushing, Caleb, 83, 368.
 Custer, Geo. A., 133.
 Cutting, F. B., 150, 215.

D

Dakotah, The, 155.
 Dana, C. A., 125, 129, 130, 188, 203,
 205, 249, 256, 263, 269, 270, 280,
 293, 310, 312, 351, 352, 358, 360,
 393, 394, 404.
 Dana, Gen., 199.
 Daniel, Justice, 57.

Danville, Ill., 243.
 Davis, Commander (Captain), 163,
 164.
 Davis, Henry Winter, 96.
 Davis, Jefferson, 21, 83, 86, 97, 101,
 102, 103, 107, 109, 138, 182, 192,
 195, 197, 213, 219, 230, 231, 242,
 257, 258, 260, 263, 264, 267, 276,
 277, 278, 285, 286, 302, 355, 360,
 361, 366, 386.
 Davis, Mrs. Jefferson, 103.
 Dawes, H. L., 83, 89, 283, 368, 369.
 Dawson, N. E., 390.
 Dealy, W. J., 221.
 Death of
 Stanton, Darwin E., 45, 423.
 Stanton, Edwin M., 408.
 Stanton, Jas. H., 170.
 Stanton, Lucy L., 38.
 Stanton, Mary A., 39, 423.
 Defense, Buchanan's, 108.
 Delano, Columbus, 337.
 Delaware, 48, 197, 222.
 Democratic (party, ticket, conven-
 tion, person, platform), 33, 34,
 37, 38, 39, 44, 53, 54, 67, 80, 89,
 101, 102, 105, 111, 112, 135, 168,
 196, 197, 238, 243, 250, 306, 323,
 367, 391, 392, 394, 400.
 Dennison, Wm., 282.
 Dennison, Mrs. Anne E., 33.
 Deserters, Number of, 247.
 Des Moines, 250.
 Dewey, Chauncey, 32, 36.
 Dickerson, E. N., 62.
 Dillon, Moses, 252.
 Dimmock, A. G., 417.
 Disciples, Church of the, 375.
Dispatch, Richmond, 323.
 District of Columbia, 27, 35, 44,
 73, 74, 118, 164, 179, 188, 207, 251,
 280, 286, 287, 315, 361, 409.
Diurnal, The, 349.
 Dix, Hon. John A., 101, 111, 112,
 115, 132, 212, 213, 214, 231, 242,
 243, 273, 285, 295, 355, 382.
 Dixon, Jas., 341.
 Dodge, G. M., 338.
 Donelson, Fort, 129, 131, 215, 230.
 Doolittle, J. R., 343, 354.
 Doren, Dennis, 222.
 Douglas, Dr., 390.
 Douglas, Mrs. S. A., 287.
 Douglas, Stephen A., 80, 364.
 Douglass, Miss, 28.
 Draft Riots, in the North, 240, 241,
 242.
 Draper, J. W., 399, 400.
 Drum, R. C., 196.
 Drummond, Thos., 63, 79.
 Dry Tortugas, 287.

Duerson, Mrs. J. C., 23, 27.
Dunn, W. L., 331.
Dyer, Heman, 28, 157, 194, 211, 371,
372.

E

Early, J. A., 388.
Eckert, T. T., 166, 167, 168, 204,
207, 217, 218, 222, 257, 258, 262,
265, 286, 294, 367, 409.
Eckley, E. R., 42.
Edinburg *Quarterly Review*, 368.
Edmunds, G. F., 334, 343, 409.
Eells, H. P., 402.
Eldredge, C. A., 356.
Ellet, Alfred, 163, 164.
Ellet, Chas., 162, 163, 164, 165.
Ellet, Chas. R., 165.
Elliot, Ann, 39.
Elliott, Gen., 240.
Elizabeth River, 153.
Emancipation Proclamation, 20,
26, 68, 182, 185, 187, 188, 189, 193,
231, 359, 396.
Emerick, J. H., 222.
Emerson, R., 62, 63.
Emory, W. H., 331.
England, 118, 121, 122, 123, 124, 192,
213, 229, 236, 237, 238, 254, 293,
369, 370, 386, 412, 415.
Epiphany, Church of the, 103, 375,
408.
Episcopal Church, 28, 30.
Erie and Northeast Railroad, 60.
Erie Railroad War, 60, 61.
Europe, 114, 127, 219, 223, 236, 240,
254, 288, 291.
Evarts, W. M., 340.
Everett, Edward, 80.
Ewing, Gen., 323.

F

Fairchild, Lucius, 384.
Fairfax Court House, 146, 199.
Fairmont Bridge, 162.
Farmers' and Mechanics' Bank,
32.
Farragut, Admiral David, 310, 363.
Felton, S. M., 200, 204, 205, 224.
Ferry, O. S., 337.
Fessenden, Wm. P., 238, 338, 341,
400.
Filson, Davison, 349, 414.
Filson, Mrs. Davison, 40, 49, 417.
Filson, Samuel, 45.
Finney, W. G., 35.
Fish, Hamilton, 229.
Fisher, Fort, 214.
Florida, 97, 183, 184, 287, 297, 316,
Floyd, John B., 84, 86, 88, 94, 95.
Fontaine, Felix G., 74.
Forbes, Capt., 233.
Ford's Theatre, 221, 278, 281.

Forney, J. W., 330, 417, 422.
Forrest, Edwin, 417.
Forrest, Gen. N. B., 235.
Forsythe, J. W., 33.
Fort
Calhoun, 382.
Donelson, 129, 131, 215, 230.
Fisher, 214.
Henry, 129, 208.
Lafayette, 136, 137, 212.
Montgomery, 254.
Moultrie, 85, 86, 87, 93, 94, 95, 105.
Pickens, 99, 100, 105, 108, 112,
Pillow, 164, 235, 236.
Sumter, 68, 85, 87, 91, 92, 93, 95,
105, 107, 108, 112, 216, 274, 275,
278, 280, 316.
Warren, 121, 252.
Wool, 155, 382.
Fortress Monroe, 99, 146, 147, 148,
149, 153, 154, 156, 158, 166, 172,
181, 222, 258, 262, 360, 364, 372.
Forty-six Years in the Army, 362,
377.
Foster, Gen., 237.
Fowler, J. S., 341, 343.
Fox, G. V., 107, 153.
France, 109, 118, 121, 124, 129, 150,
192, 229, 386.
Frankfort Railroad, 206.
Franklin, W. B., 138, 149, 159, 176,
394.
Franklin Square, 79, 107.
Fraser's River, 71.
Fredericksburg, 224, 225.
Free-Soil, 53.
Freedman's Bank, 297.
Freedman's Bureau, 188, 306, 307,
313.
Freedman's Inquiry Commission,
188.
Fremont, J. C., 129, 182, 362, 392.
Fry, J. B., 134, 393.
Fulton, J. D., 288.

G

Gaddis, John, 37.
Gaines' Case, 368.
Gaines' Mill, 166.
Galena, The, 154.
Gallagher, Jas., 24, 25.
Galveston, 84.
Gambier, 27, 28, 251.
Gano, A. G., 42.
Garfield, J. A., 203, 207, 288.
Garrett, J. W., 200, 204, 205, 281,
356.
Gay, of N. Y. *Tribune*, 211.
"Gen. Butler in New Orleans," 152.
General-in-Chief (see Commander-
in-Chief).
Georgetown, 164, 179.

Georgia, 96, 101, 183, 184, 297, 316, 326, 360, 405.
 Gettysburg, 142, 198, 199, 201, 202, 210, 232, 291, 365, 371, 380, 395.
 Gibbon, John, 378.
 Gilmore, Gen. Hugh A., 275.
 Gist, W. H., 82, 83.
Globe, The, 253.
 God, 22, 52, 59, 75, 76, 77, 86, 98, 110, 130, 136, 160, 170, 177, 188, 192, 207, 250, 262, 289, 371, 374, 378, 381, 383, 395, 397, 398, 417, 419.
 Godwin, Park, 392.
 Goering, Mr., 353.
 Golden Circle, Knights of, 192, 249, 250, 252, 253.
 Goldsborough, Commander, 154, 156.
 Grand Review, The, 268, 288, 289.
 "Grant in Peace," 380.
 Grant, Mrs. U. S., 379.
 Grant, U. S., 21, 130, 131, 180, 182, 188, 195, 196, 200, 207, 210, 219, 220, 221, 230, 232, 237, 238, 247, 257, 259, 261, 265, 266, 267, 268, 273, 274, 277, 278, 279, 281, 282, 284, 288, 301, 305, 306, 307, 308, 310, 311, 313, 320, 321, 322, 323, 324, 325, 328, 330, 331, 332, 333, 334, 337, 339, 342, 343, 346, 355, 357, 358, 359, 362, 364, 365, 368, 371, 376, 377, 378, 379, 380, 383, 384, 385, 386, 387, 388, 389, 390, 391, 393, 394, 395, 398, 401, 405, 406, 407, 408, 409, 421, 426.
 Great Britain (see England).
 "Great Speeches by Great Lawyers," 74.
 Greeley, Horace, 156, 211, 215, 241, 361, 392.
 Greenhow, Mrs., 370.
 Grier, R. C., 55, 65, 404, 405, 406, 409.
 Griffith, Joe, 251.
 Grimes, J. W., 341, 342.
 Gurley, Rev. Mr., 283.
 Gwin, W. M., 107.

H

Hale, J. P., 106.
 Hall, C. W., 372, 374.
 Hall, Dr. J. C., 418.
 Halleck, H. W., 163, 167, 173, 176, 177, 178, 180, 181, 193, 199, 201, 203, 204, 220, 267, 368, 371, 382, 383, 401.
 Hamlin, Hannibal, 80, 400.
 Hampton Roads Peace Conference, 21, 257.
 Hancock, W. S., 174, 287, 380, 381, 391, 421.
 Hardie, J. A., 200, 287, 294.
 Harding, Geo., 62, 96.
 Harper, John, 24, 353.
 Harper, Lecky, 53.
 Harper's Ferry, 192, 353.
 Harrisburg, 198, 200, 217.
 Harris, Mrs. John, 371.
 Harris, Miss, 281.
 Harris, Rev. Mr., 275.
 Harrison, W. H., 261.
 Harrison, Benjamin, 288.
 Harrison, R. R. S., 412.
 Harrison, H. N., 68, 72.
 Harrison County, 32, 36, 42, 426.
 Harrison National Bank, 34.
 Harrold, D. C., 286.
 Hartranft, J. F., 286.
 Hassler, J. J. S., 348, 349.
 Haxall's Landing, 173, 231.
 Haupt, Herman, 174, 194, 198, 199, 201, 202, 209, 224, 225, 226, 227, 295, 358.
 Hayes, R. B., 288.
 Hay, John, 168.
 Heichold, A. P., 118.
 Heintzelman, Gen., 138, 169.
 Hempfield Railroad Co., 83.
 Hendricks, T. A., 253, 344.
 Henderson, J. B., 341, 344, 365.
Herald, N. Y., 109, 131, 197, 208, 209.
 Hesse, John C., 352, 353.
 Hewitt, A. S., 152.
Hibernia No. 2, 55.
 Hill, A. S., 211.
 Hill, D. H., 148, 231.
 Hilton Head, N. C., 167.
 "History of the Rebellion," Draper's, 399.
 Hitchcock, E. A., 149, 159, 161, 233, 234, 266.
 Hoagland, Miss Margaret, 24.
 Holiday's Cove, W. Va., 45, 50.
 Holt, Joseph, 84, 88, 90, 93, 94, 95, 97, 98, 99, 100, 106, 109, 116, 117, 275, 280, 286, 287.
 Hooker, Joseph, 199, 200, 205, 206, 209.
 Hooper, Samuel, 324, 403, 409.
 Hoosac Tunnel, 224, 227.
 Hosts, Circle of, 249, 250.
 House of Delegates (Virginia), 37.
 House of Representatives, U. S., 44, 45, 132, 190, 333, 336, 340, 343, 405, 408.
 Houston, Sam, 80.
 Howard, Joseph, 212, 213.
 Howard, Miss Anna, 30.
 Howard, Maj. Gen. O. O., 288, 313, 346.
 Howe, S. G., 188.
 Howe, T. O., 144, 241.
 Huger, Benjamin, 230.
 Hughes, John, 371, 372.
 Hunt, Robert T., 54, 84, 412.

Hunter, David, 167, 183, 184, 185,
186, 380, 384.
Hunter, R. M. T., 85, 86, 100, 102,
257, 402.
Hunter, Robert F., 207, 350, 358.
Hussey, Obed, 79.
Hutchison, Lewis, 66.
Hutchison, Ellen, 66.
Huys, Drouyn de l', 192.

Illinois, 43, 58, 196, 243, 254, 341,
356, 369.
Impeachment, 89, 334, 335, 340, 341,
342, 343, 344, 385.
Independent, N. Y., 392.
Indiana, 43, 46, 58, 188, 241, 246,
252, 344, 356, 369.
Indianapolis, 207, 246, 250, 251.
Inglebright, William, 45.
Inquirer, Richmond, 323.
International Hotel, 72.
Iowa, 341, 342, 356.
Irwin, W. H., 309.
Isaac Newton, The, 56.
Island No. 10, 162, 371.
Iverson, Alfred, 101.
Ives, Dr. M., 197, 208, 209.

Jackson, T. J. (Stonewall), 167, 181.
Jamaica, 68.
James River, 20, 146, 152, 154, 155,
156, 165, 389.
Jamestown, The, 155.
Jefferson County, 32, 36, 39.
Jeffersonville, 206.
Jenks & Son, 200.
Jewett, T. L., 224.
Johnson, A. E. H., 64, 89, 125, 142,
167, 169, 170, 177, 179, 189, 191,
196, 204, 212, 217, 218, 221, 249,
255, 258, 265, 271, 289, 295, 306,
313, 315, 323, 324, 331, 336, 350,
351, 354, 357, 364, 371, 384, 387,
388, 409, 417, 418.
Johnson, Andrew, 19, 21, 143, 221,
238, 264, 265, 267, 277, 278, 279,
281, 282, 283, 285, 286, 287, 289,
296, 298, 299, 300, 302, 304, 305,
306, 307, 308, 309, 310, 312, 313,
315, 316, 319, 320, 321, 322, 323,
326, 328, 329, 330, 331, 332, 333,
334, 335, 340, 341, 342, 358, 360,
361, 367, 373, 394, 400, 424, 426.
Johnson, Reverdy, 57, 58, 62, 210,
303, 320, 344.
Johnson, Richard M., 80.
Johnson's Island, 254.
Johnston, Jos. E., 21, 263, 266, 267,
268, 270, 288, 301, 395.
Johnston, Wm., 416.
Johnston, Wm. Preston, 418.

Jones, David, 408.
Journal of Commerce, 212, 213.
Judd, N. B., 409.
Julian, Geo. W., 185, 369.

Kansas, 243, 341, 344.
Kees, J. D., 210.
Kelly, J. H., 202.
Kelley, W. D., 337.
Kelton, J. C., 178.
Kenawha County, 402.
Kennedy, Chief, 281.
Kennon, Judge, 34, 35.
Kentucky, 43, 58, 105, 120, 197, 344.
Kenyon College, 27, 28, 157, 349,
367, 374.
Key, Major T. M., 260.
Key, Phillip Barton, 73, 74, 77.
Keyes, Gen. E. D., 138, 169.
Kettles, W. E., 261, 263.
Kilpatrick, Judson, 133.
Kimlen, Mr., 130.
Kingston, Jamaica, 68.
Kirkwood House, 285.
Kneedler vs. Lane, 243.
Knights of the Golden Circle, 192,
249, 252, 253.
Knox, John, 45.
KuKlux Klans, 312.

Lacey's Hotel, 34.
Lafayette, Fort, 136, 137, 212.
Lake Champlain, 254.
Lake Erie, 254.
Lake Superior, 254, 325.
Lamon, W. H., 112.
Lamson, Mary A., 30, 32, 33, 39,
40, 252.
Lamson, Wm. K., 32.
Lander, T. W., 382.
Land Cases, California, 66, 67, 72,
80, 426.
Lane, Jos., 80.
Lane, Kneedler vs., 243.
Larrabee, C. F., 244.
Latham, M. S., 131.
Lawrence, Wm., 338.
Lee, R. E., 109, 142, 147, 148, 158,
167, 169, 172, 174, 175, 176, 178,
179, 191, 192, 193, 198, 199, 200,
201, 202, 234, 252, 259, 263, 266,
267, 273, 274, 277, 278, 282, 289,
301, 311, 357, 371, 379, 388, 395,
397, 423.
Lee, W. H. F., 232.
Letcher, Jno., 302.
Letters from
Barlow, S. L. M., 122.
Black, J. S., 70.
Buchanan, Jas., 102.
Carpenter, M. H., 326.

Chase, S. P., 156.
 Collier, D. L., 28, 31.
 Dana, C. A., 129.
 Davis, Jefferson, 267.
 Dix, Jno. A., 243.
 Floyd, J. B., 86.
 Grant, U. S., 210, 322, 339, 387.
 Greeley, Godwin and Tilton, 392.
 Johnson, Andrew, 320, 332.
 Lincoln, Abraham, 149.
 McClellan, G. B., 122, 161, 167,
 170, 171, 180, 181, 193, 197.
 Ould, Robert, 233, 237.
 Patton, Ben., 56.
 Pleasanton, Alfred, 173.
 Sherman, John, 267, 268.
 Sherman, W. T., 266, 267, 270,
 332.
 Simpson, Matthew, 372.
 Stanton, E. M., 85, 90, 94, 98, 105,
 106, 107, 108, 109, 110, 111, 115,
 122, 123, 125, 129, 130, 131, 132,
 135, 140, 153, 157, 158, 159, 160,
 161, 162, 169, 170, 183, 194, 209,
 210, 242, 308, 309, 310, 311, 312,
 313, 314, 321, 325, 328, 329, 330,
 334, 341, 343, 353, 356, 357, 366,
 373, 374, 380, 381, 382, 387, 392,
 393, 399, 400, 401, 403, 404, 407.

Letters to

Ashley, J. M., 310, 311, 312, 403.
 Aspinwall, W. H., 180.
 Barlow, S. L. M., 122, 123.
 Brady, J. T., 242.
 Buchanan, Jas., 86, 105, 106, 107,
 108, 109, 131, 132.
 Cameron, Simon, 341.
 Carpenter, Mrs. M. H., 326.
 Chase, S. P., 393.
 Copeland, W. B., 85.
 Dana, C. A., 125, 129, 130.
 Dix, Jno. A., 110, 111, 115, 382.
 Draper, J. W., 399.
 Dyer, Heman, 157, 158, 159, 160,
 161, 194, 195.
 Edmunds, G. F., 334.
 Ellet, Chas., 162.
 Grant, U. S., 308, 332, 407.
 Greeley, Horace, 156.
 Hancock, W. S., 380, 381.
 Harper, John, 353.
 Hooker, Jos., 209.
 Hunter, R. M. T., 102.
 Johnson, Andrew, 300, 321, 322,
 343.
 Johnston, Jos. E., 266, 270.
 Lincoln, Abraham, 135, 387.
 Marcy, R. B., 173.
 McClellan, G. B., 140, 149.
 McClellan, Mrs. G. B., 122, 161,
 167, 170, 171, 180, 181, 193, 197.
 Mitchell, O. M., 183.
 Moorhead, J. K., 309.

Patton, Benj., 56.
 Pierrepont, Edwards, 215.
 Robinson, Wm., 90.
 Saxton, Rufus, 380.
 Senate, United States, 329.
 Seward, W. H., 135.
 Schell, Augustus, 94.
 Schenck, R. C., 366, 381.
 Simpson, Matthew, 374.
 Simpson, Mrs. M., 372.
 Sheridan, P. H., 339, 373.
 Smith, J. Gregory, 356, 387, 392.
 Smith, Mrs. J. Gregory, 325.
 Stanton, E. M., 28, 31, 122, 170,
 237, 243, 267, 268, 320, 378.
 State Governors, 392.
 Thomas, G. H., 381.
 Tod, Governor, 135.
 Tribune, N. Y., 129.
 Vanderbilt, Cornelius, 153.
 Vincent, T. M., 381.
 Watson, P. H., 68, 69, 70, 313,
 314, 399, 400, 401, 403.
 Libby Prison, 233.
 Liberty, Sons of, 249, 254.
 Lieber, Francis, 313.
 "Life of Buchanan," 105.
 Limantour, José y, 67, 71, 72.
 Lincoln, Abraham, 19, 20, 21, 26,
 60, 62, 63, 80, 82, 83, 97, 102,
 103, 104, 105, 106, 107, 108, 109,
 110, 111, 112, 113, 115, 116, 117,
 119, 123, 128, 136, 138, 139, 140,
 141, 142, 143, 145, 148, 149, 150,
 154, 156, 157, 166, 167, 168, 171,
 172, 176, 177, 178, 179, 180, 182,
 183, 184, 185, 186, 187, 188, 189,
 191, 192, 193, 194, 196, 198, 199,
 201, 203, 204, 212, 214, 215, 217,
 219, 221, 225, 230, 235, 236, 237,
 240, 252, 254, 255, 257, 258, 259,
 260, 261, 266, 269, 270, 271, 275,
 276, 277, 278, 279, 280, 281, 282,
 283, 284, 285, 286, 287, 289, 299,
 300, 301, 302, 311, 312, 316, 329,
 337, 338, 345, 346, 347, 348, 351,
 355, 356, 357, 359, 360, 361, 364,
 365, 367, 368, 369, 372, 374, 376,
 377, 379, 385, 386, 387, 388, 391,
 392, 393, 395, 396, 397, 401, 405,
 421, 423, 424, 426.
 "Lincoln and Seward," 260.
 Lincoln, Mrs., 255, 281, 282.
 Littell's "Living Age," 367.
 Logan, Jno. A., 309.
 London Observer, 94.
 London Times, 209.
 Longden, Samuel, 46.
 Longfellow's "Psalm of Life," 414.
 Longstreet, Jas., 193, 260.
 Longstreet, Judge, 99.
 Loomis, A. W., 90.

Louisiana, 43, 97, 232, 296, 299, 312, 316, 363.
 Louisville, 205, 206, 207, 372, 383.
 Louisville & Lexington R. R., 206.
 Lovejoy, Owen, 369.
 Loyal Legions, 251.
 Ludlow, Colonel, 232.
 Lundy, Benj., 25, 26.
 Lyman, Dr. Theodore, 66.
 Lynch, S. G., 202, 218.
 Lyons, Lord, 123.
 Lytton, Bulwer, 368.

M

Macaulay, 420.
Macedonian, The, 93.
 Madison, Wis., 241, 245, 384.
 Magruder, J. B., 148, 150.
 Maine, 121, 238, 341, 400.
 Mallory, S. R., 97, 100.
 Manassas, 139, 146, 149, 158, 206, 386.
 Manny, John H., 62, 63, 64, 65, 68.
 Manning, Provost-Marshall, 263.
 Marcy, R. B., 169, 170, 173.
 Marston, Gilman, 147.
 Maryland, 73, 84, 96, 191, 192, 223, 242, 255, 344, 367.
 Maryland Heights, 193.
 Mason, James M., 100, 101, 121, 122, 124.
 Massachusetts, 31, 89, 135, 137, 219, 241, 369, 403, 419.
 Massachusetts, Military Historical Society of, 180.
 Maynadier, Col. Henry E., 84, 179.
 McCall, Geo. A., 138, 166.
 McCardle, Wm., 324, 326, 327.
 McCarty, Mrs. E. H., 23.
 McCallum, D. C., 204, 205, 207, 223, 227, 295.
 McClellan, Geo. B., 109, 121, 122, 123, 124, 125, 126, 130, 131, 136, 138, 139, 140, 141, 146, 147, 148, 149, 150, 151, 152, 156, 157, 158, 159, 160, 166, 167, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 185, 191, 192, 193, 194, 195, 196, 197, 209, 216, 224, 232, 237, 242, 243, 250, 260, 323, 355, 365, 371, 391, 392, 393, 394, 423.
 McClellan, Minute Guards, 250.
 McClellan, Mrs. Geo. B., 180.
 McClellan's "Own Story," 123, 148, 149, 150, 168, 174, 178, 180, 195, 196.
 McCook, Geo. W., 42, 44, 46, 48, 50.
 McCormick, Cyrus H., 62, 63, 64, 65, 68, 79, 114.
 McCracken, John, 31, 43, 410.
 McCrary, Thos., 33.
 McCreary, T. C., 344.
 McCulloch, Ben, 97, 107.

McCulloch, Hugh, 282.
 McDowell, Irwin, 138, 146, 150, 151, 159, 160, 209, 224.
 McGowan, David, 415.
 McGuire, F. B., 418.
 McFadden, H. S., 34.
 McKay, Jas., 188.
 McKinley, Wm., 288.
 McKinley, Rectina, 47.
 McLean, Justice John, 63, 64, 79.
 McMasters, David, 22.
 McNulty, C. J., 44.
 Meade, Geo. G., 21, 142, 199, 200, 201, 202, 210, 260, 355, 357, 387, 398.
 Meadville, Pa., 277.
 Mears, Dr. B., 47.
 Meigs, M. C., 103, 159, 161, 179, 184, 195, 200, 221, 265, 266, 269, 294, 358, 374, 383.
 Mellon, Thos., 415.
 Melvin, Thayer, 402.
 Memorandum, for the President, 88, 91, 93, 94.
 Memorandum, McClellan to Lincoln, 148, 197.
 Memorandum, Lincoln to Campbell, 269.
 Memorandum, Sherman-Johnston, 263.
 Memorandum, Stanton, 316, 317, 318, 319.
 Memphis, 20, 163, 164, 165, 389.
 Meredith, W. M., 326.
 Meredith, Annie C., 414.
 Meredith, Geo., 233.
Merrimac, The, 146, 152, 153, 154, 155, 156, 160, 389, 426.
 Methodist Episcopal Church, 23, 24, 372, 373.
 Metropolitan M. E. Church, 67.
 Mexican War, 44.
 Mexicans, 71, 72.
 Mexico, 67.
Miami, The, 154.
 Michigan, 360, 405, 406.
 Miles, Nelson A., 360.
 Military Commission, 252, 286.
 Military District, 315, 316, 339.
 Military Governors, 155, 279, 296, 299, 300, 304, 358, 364.
 Military, Historical Society of Massachusetts, 180.
 Military Railways, 20, 198, 204, 223, 226, 227, 295, 418.
 Military Telegraph, 20, 216, 217, 219, 222, 227, 244, 294, 388.
 Milligan, L. P., 252.
 Milligan, Mrs. L. P., 252.
 Minnesota, 134, 344.
 Mississippi, 83, 86, 99, 182, 231, 316, 326.
 Mississippi, Department of, 207.

Mississippi River, 20, 56, 97, 118, 162, 165, 389.
 Missouri, 43, 58, 182, 341, 344, 365.
 Mitchell, O. M., 143, 183, 382.
 Monroe, Fortress, 99, 146, 147, 148, 149, 153, 154, 156, 158, 166, 172, 181, 222, 258, 262, 360, 364, 372.
Monitor, The, 154, 155.
 Monongahela Lands, 324.
 Montgomery, 24, 97, 102.
 Montgomery, Fort, 254.
 Montgomery, J. B., 346, 347, 419.
 Montholon, Marquis de, 386.
 Mooday, R. S., 48, 61, 291.
 Moore, John, 42.
 Moore, Mordecai, 43, 44.
 Moore, W. G., 310, 322.
 Moorhead City, N. C., 267.
 Moorhead, J. K., 211, 309, 324, 337, 348, 405.
 Morton, O. P., 246, 250, 253, 362, 405.
 Morgan, E. D., 83, 245, 400.
 Morgan, G. W., 382.
 Morrill, J. S., 400.
 Morse, S. F. B., 216.
 Morton, Attorney-General, 61, 62.
 Mosby, J. S., 421.
 Moultrie, Fort, 85, 86, 87, 93, 94, 95, 105.
 Mount Wachusett, 403.
 Mudd, S. T., 286, 287.
 Mullen, John, 50.
 Mussey, R. D., 287.

N

Nashville, 205, 207, 220, 361.
National Intelligencer, 126, 216, 277.
 National Metropolitan Bank, 344.
 Nebraska, 34, 315.
 Negley, J. S., 138.
 Nelson, T. A. R., 340.
 New Albany, 162, 163.
 New England States, 250.
 New Jersey, 194, 197, 243, 279, 397.
 New Lisbon, O., 40, 42, 48.
 Newman, J. P., 374.
 New Orleans, 20, 144, 148, 152, 186, 237, 254, 328, 342, 362, 363, 364, 372, 373.
 New Orleans Riot, 297.
Newport News, 144, 156.
News, N. Y., 210, 253.
 New York, 57, 66, 72, 73, 79, 87, 93, 94, 97, 99, 110, 111, 115, 116, 120, 129, 130, 135, 136, 150, 152, 157, 166, 180, 188, 194, 198, 208, 211, 213, 214, 219, 237, 241, 246, 253, 256, 279, 281, 337, 342, 352, 371, 372, 379, 382, 392, 393, 394, 395, 398, 400, 403, 409, 411, 412, 419.
 New York and Harlem River R. R., 226.

New York Court of Appeals, 242.
 New York, Draft Riots in, 241, 242.
 New York *Herald*, 109, 131, 197, 209.
 New York *News*, 210, 253.
 New York *Post*, 108, 392.
 New York *Times*, 98, 209, 210, 241.
 New York *Tribune*, 98, 125, 129, 132, 211, 215, 241, 392.
 New York *World and Journal of Commerce*, 212.
 Nicolay, J. G., 168.
 Norfolk, 20, 152, 153, 155, 156, 157, 165, 219, 361, 389, 426.
 Norman, Thos., 27.
 North Carolina, 25, 74, 83, 167, 210, 222, 223, 265, 267, 296, 303, 370, 420.
 North, The, 96, 97, 98, 101, 103, 108, 112, 114, 116, 118, 137, 192, 198, 230, 233, 234, 235, 237, 238, 240, 251, 254, 277, 297, 298, 300, 305, 309, 313, 316, 338, 352, 357, 392, 393.
 Norton, D. S., 344.



Oak Hill Cemetery, 410.
 O'Brien, Col., 242.
 O'Brien, J. E., 220.
 O'Brien, Richard, 217, 219, 222.
Observer, London, 94.
 Oelrichs & Company, 79.
 Ohio, 22, 23, 24, 25, 27, 28, 30, 33, 36, 37, 39, 43, 44, 46, 48, 50, 54, 56, 58, 73, 103, 131, 135, 147, 190, 207, 210, 232, 241, 244, 251, 252, 276, 294, 309, 313, 345, 356, 359, 361, 363, 367, 385, 396, 399, 404, 414, 417, 419, 421, 426.
 Ohio Guage, 60.
 Ohio River, 26, 33, 46, 54, 55, 56, 58, 165, 204, 206, 276, 349.
 "Old Mars," 145.
 O'Laughlin, M., 286, 287.
 Old Capitol Prison, 133, 210, 233, 253, 276, 294, 370.
 Old Point Comfort, 93, 146.
 Oliver, John F., 24.
 Ord, E. O. C., 260, 316, 326.
 Order of Stars and Stripes, 251.
 Orders by
 Cameron, Simon, 127.
 Dana, C. A., 360.
 Grant, U. S., 313.
 Halleck, H. W., 178.
 Johnson, Andrew, 302, 333, 334.
 Lincoln, Abraham, 140, 158, 178, 194.
 Sherman, W. T., 267, 298.
 Stanton, E. M., 119, 127, 128, 133, 134, 138, 167, 186, 188, 190, 208, 212, 220, 226, 229, 231, 232, 233,

234, 251, 269, 286, 289, 290, 333,
353, 362, 371, 382.
Oregon, 346, 419.
O'Reiley, Miles, 352.
Orr, Henry, 22.
Orr, Jas. L., 85, 87.
Ould, Robert, 73, 231, 232, 233, 234,
237.
Our American Cousin, 278.
Owen, R. D., 188.
Owesney, Valentine, 47.

P

Pacific Coast, 20, 67, 72.
Pacific Ocean, 68.
Pale Faces, 312.
Panama, Isthmus of, 68, 72.
Partnerships,
Dewey & Stanton, 32.
Shaler & Stanton, 42, 53, 54.
Stanton & McCook, 42.
Stanton & Eckley, 42.
Stanton & Peppard, 42.
Stanton & Peck, 42.
Stanton & Sharon, 42.
Tappan & Stanton, 42.
Umbstaetter, Stanton & Wallace,
42, 54.
Patrick, M. R., 147.
Patriot, Baltimore, 96.
Patterson, D. T., 341, 344.
Patton, Ben., 53, 57.
Payne, Lewis, 278, 286.
Payton, Col., 365.
Peace Conference, Hampton
Roads, 21, 257.
Pea Ridge, 371.
Peck, D. S., 42.
Pelouze, L. H., 283, 294.
Pendleton, Geo. H., 73, 131.
Peninsular Campaigns, 139.
Pennsylvania, 43, 44, 46, 48, 54, 55,
60, 61, 90, 105, 118, 127, 135, 191,
198, 199, 220, 223, 241, 243, 277,
341, 343, 348, 354, 361, 363, 372,
391, 397, 404.
Pennsylvania Railroad Co., 25, 60,
199, 217, 400.
Pennsylvania State, Canal and
Railway Cases, 20.
Peppard, S. G., 42.
Perry, Governor, 305.
"Personal Memoirs of U. S. Grant,"
376, 377, 380, 386, 387, 388, 389,
390.
Petersburg, 261, 291, 388.
Petersen, Wm., 279, 280, 281.
Peterson, J. H., 363.
Phelps, J. W., 182.
Philadelphia, 43, 62, 68, 96, 97, 109,
187, 198, 200, 216, 217, 219, 281,
309, 337, 342, 353, 354, 365, 371,
374, 394, 396, 399, 409, 412, 421.

Philadelphia & Reading Railway,
127.
Philomathesian Society, 27, 28.
Phillips, Jas., 144.
Pickens, Gov., 83, 84, 85, 99, 107.
Pickens, Fort, 99, 100, 105, 108, 112.
Pierrepont, F. H., 303.
Pierrepont, Edwards, 215, 409, 411.
Pike, Albert, 232.
Pillow, Gideon J., 395.
Pillow, Fort, 164, 235, 236.
Pine Bluff, 403.
Pinckney, Rev. Mr., 409.
Pinkerton, Allan, 251.
Pittsburg, 24, 25, 42, 43, 46, 50, 51,
53, 56, 62, 66, 70, 79, 80, 82, 84, 85,
90, 162, 163, 165, 198, 211, 222, 309,
314, 324, 337, 348, 349, 351, 353,
362, 363, 394, 395, 399, 409, 412,
413, 414, 415, 416, 426.
Pittsburg, Bank of, 24.
Pittsburg, United States Bank of,
43.
Pittsburg Club, 70.
Pittsburg Landing, 371.
Pittsburg *Post*, 53.
Plattsburg, 254.
Pleasanton, Alfred, 173.
Polemics, The, 24.
Polk, Jas. K., 42.
Pope, John, 148, 172, 173, 174, 175,
176, 178, 179, 180, 181, 191, 225,
316, 362, 371.
Pork Case, 43.
Port Hudson, 232, 238, 291, 401.
Port Royal, 298, 372.
Porter, Andrew, 138.
Porter, Fitz-John, 138, 169, 192.
Porter, Robert I., 286.
Portland, Maine, 121.
Portland, Oregon, 346, 419.
Portsmouth, 155, 156.
Post, Pittsburg, 53.
Post, New York, 108, 392.
Postal Telegraph Co., 217.
Postmaster General,
Blair, Montgomery, 117, 119.
Creswell, J. A. J., 409.
Dennison, Wm., 302, 303, 329.
Holt, Joseph, 84.
King, Horatio, 99.
Randall, A. W., 307.
Reagan, J. H. (Confederate), 264.
Potomac, Army of the, 140, 142, 149,
158, 171, 172, 176, 179, 193, 194,
199, 203, 222, 227, 352, 357, 378,
395.
Potomac Creek, 225.
Potomac River, 109, 118, 125, 140,
146, 154, 157, 158, 173, 179, 201,
202, 203, 222, 224, 267, 274, 278,
286, 357, 388, 410.
Potter, John A., 89.

Potts, John, 350.
Powhattan, The, 107.
 President, The,
 Buchanan, Jas., 83, 84, 85, 86,
 87, 88, 89, 90, 91, 92, 93, 94, 96,
 99, 100, 101, 102.
 Davis, Jefferson, C. S. A., 101,
 182.
 Grant, U. S., 377, 405, 406, 407.
 Johnson, Andrew, 264, 268, 277,
 285, 287, 296, 301, 302, 305, 306,
 307, 308, 310, 312, 315, 317, 318,
 319, 321, 322, 323, 326, 328, 330,
 331, 332, 333, 334, 335, 336, 337,
 338, 339, 341, 342, 343, 358, 367,
 394.
 Lincoln, Abraham, 116, 117, 122,
 133, 134, 139, 140, 142, 146, 147,
 150, 155, 156, 158, 159, 160, 161,
 164, 166, 167, 171, 172, 176, 177,
 179, 185, 186, 188, 191, 193, 194,
 198, 203, 209, 213, 215, 218, 235,
 240, 245, 249, 252, 257, 258, 259,
 261, 262, 264, 269, 270, 271, 272,
 277, 280, 281, 285, 346, 347, 348,
 349, 351, 365, 366, 369, 372, 379,
 381, 382, 385, 397.
 Preston, Gen., 395.
 Preston, Wm., 30, 32, 33.
 Primrose Hill, 79.
 Prison,
 Andersonville, 233.
 Belle Isle, 233.
 Carroll, 294, 370.
 Old Capitol, 133, 210, 233, 253,
 276, 294, 370.
 Salisbury, 233.
 Proclamation,
 By Jefferson Davis, 219, 230.
 Confiscation (Stanton's), 184.
 Emancipation, 20, 68, 182, 185,
 187, 188, 189, 193, 231.
 Freeing Slaves (Fremont), 182.
 Freeing Slaves (Hunter's), 183,
 186.
 Of Reward for Conspirators
 (Stanton's), 285.
 Spurious, Lincoln, 212.
 Suspending Habeas Corpus, 134,
 287.
 That Rebellion Closed (John-
 son's), 307.
 Provisional Governors, 305, 306.
 "Psalm of Life," 414.
 Purcell, Archbishop, 51, 371.
 Railroad,
 Baltimore and Ohio, 281, 354, 356.
 Erie War, 60, 61.
 Hempfield, 82.
 Lake Shore and Michigan South-
 ern, 60.
 New York and Harlem, 226.

Pennsylvania, 60, 400.
 Philadelphia and Columbia, 60.
 Philadelphia and Reading, 127.

R

Railway, Military, 20, 198, 204, 223,
 226, 227, 295, 418.
 Raleigh, 83, 265, 266.
 Ralston, Wm., 47.
 Randall, A. W., 307, 310.
 Randolph, G. W., 230.
 Rappahannock River, 172.
 Rappahannock, Department of the,
 225.
 Rappahannock Bridge, 227.
 Rathbone, Major, H. R., 281.
 Rawlins, J. A., 379.
 Raymond, H. J., 98, 241.
 Reagan, J. H., 264, 267.
 Rebellion Records, 248.
 Rebellion, The (Civil War), 19, 21,
 114, 121, 125, 128, 130, 135, 137,
 163, 168, 183, 188, 195, 197, 202,
 223, 224, 239, 242, 248, 261, 269,
 275, 276, 291, 292, 303, 307, 320,
 322, 337, 339, 344, 356, 357, 359,
 364, 370, 377, 379, 383, 386, 396,
 399, 418, 420, 422, 423, 425.
 Reconstruction, 21, 296, 301, 302,
 303, 307, 310, 311, 316, 317, 326,
 328, 329, 336, 337.
 Relief Society, Union, 249, 250.
 Remarks by
 Allison, W. R., 345.
 Anderson, Lewis, 22.
 Andrews, E. F., 61.
 Ashley, J. M., 310.
 Associated Press, 130.
 Barlow, S. L. M., 121.
 Barnard, J. C., 139.
 Barnwell, R. W., 87.
 Batcheler, C. W., 55.
 Bates, D. Homer, 419.
 Black, J. S., 359.
 Booth, John Wilkes, 277, 278.
 Boyce, W. M., 103.
 Bronson, S. A., 28.
 Brown, Wm., 45.
 Buchanan, Jas., 90, 102.
 Buchanan, Jos., 23, 39, 416.
 Buchanan, Wm. Stanton, 39, 79,
 144, 402, 420.
 Burgoyne, W. R., 276.
 Butler, B. F., 89, 152, 186, 234.
 Cabell, Mrs. M. V. E., 164.
 Campbell, John A., 107, 269.
 Carpenter, Artist, 259, 345, 385.
 Carpenter, M. H., 405, 406.
 Chandler, A. B., 217.
 Chase, S. P., 141, 172, 185, 203.
 Clarke, R. W., 337.
 Clemson, Mrs. Margaret, 24.
 Colburn, A. V., 193.

Cole, Chas. D., 144.
 Colfax, Schuyler, 336.
 Corey, J. B., 363.
 Coyle, J. F., 126, 216, 277, 341, 342.
 Cushing, Caleb, 368.
 Dana, C. A., 188, 270, 280, 310, 352, 383, 393, 394, 404.
 Davis, Jefferson, 103, 267.
 Davis, Mrs. Jefferson, 103.
 Dawes, H. L., 83, 283, 369.
 Dawson, N. E., 390.
 Delano, C., 337.
 Dennison, Mrs. A. E., 33.
 Dillon, Moses, 252.
 Dimmock, A. G., 417.
 Dodge, G. M., 338.
 Doolittle, J. R., 354.
 Duerson, Mrs. J. C., 23, 27.
 Dyer, Heman, 28.
 Eckert, T. T., 258.
 Ellet, Chas., 162, 164.
 Elliott, Ann, 39.
 Emerson, Ralph, 62.
 Fairchild, Lucius, 384.
 Ferry, O. S., 337.
 Filson, Davison, 349, 414.
 Filson, Mrs. Davison, 40, 49, 417.
 Finney, W. G., 35.
 Floyd, J. B., 84.
 Forney, J. W., 422.
 Franklin, W. B., 149.
 Fulton, J. D., 288.
 Gallagher, Jas., 24.
 Grant, U. S., 180, 196, 238, 260, 322, 357, 376, 387, 390, 393, 406.
 Halleck, H. W., 203.
 Hall, C. W., 374.
 Harper, John, 24, 353.
 Harper, Leckey, 54.
 Haupt, Herman, 194, 199, 201, 209, 224, 226.
 Heichold, A. P., 118.
 Hesse, J. C., 352.
 Hill, D. H., 148.
 Hitchcock, E. A., 233.
 Hoagland, Miss Margaret, 24.
 Holt, Jos., 88, 90, 275.
 Howard, O. O., 346.
 Hunt, R. T., 54, 84, 412.
 Hunter, David, 384.
 Hunter, R. F., 207, 350, 358.
 Ives, Dr. M., 197.
 Iverson, Senator A., 101.
 Johnson, A. E. H., 64, 125, 142, 167, 169, 177, 179, 189, 191, 196, 204, 212, 217, 218, 221, 249, 255, 268, 265, 271, 289, 306, 315, 323, 324, 331, 350, 354, 357, 364, 371, 384, 388, 417.
 Johnson, Andrew, 312, 334, 367.
 Johnston, Wm., 416.
 Johnston, Wm. Preston, 418.

Julian, G. W., 369.
 Kelley, W. D., 337.
 Kettles, W. E., 262, 263.
 Lawrence, Wm., 338.
 Lincoln, Abraham, 63, 128, 136, 138, 139, 141, 143, 179, 180, 183, 187, 194, 201, 203, 225, 236, 259, 269, 271, 311, 345, 346, 347, 348, 365, 369, 397, 398, 405.
 Lincoln, Mrs. Abraham, 282.
 Longden, 46.
 Lovejoy, Owen, 369.
 Lynch, S. G., 202.
 Lytton, Bulwer, 368.
 McCallum, D. C., 204.
 McCarty, Mrs. E. H., 23.
 McClellan, G. B., 121, 123, 124, 131, 136, 148, 150, 151, 178, 185, 191, 193, 195, 196, 197.
 McCracken, John, 31, 43, 410.
 McCrary, Thos., 33.
 McFadden, H. S., 34.
 McGowan, David, 415.
 McGruder, J. D., 149.
 McLean, Justice, 64.
 Meade, G. G., 201.
 Meigs, M. C., 103, 195, 221, 265, 383.
 Mellon, Thos, 415.
 Melvin, Thayer, 402.
 Meredith, Mrs. Annie C., 414.
 Milligan, L. P., 252.
 Montgomery, J. B., 346, 419.
 Moodey, R. S., 48.
 Moorhead, J. K., 337, 348.
 Mullen, John, 50.
 Newman, J. P., 374.
 Nicolay & Hay, 168.
 O'Brien, J. E., 220.
 Oliver, J. F., 23, 24.
 Orr, J. L., 87.
 Ould, Robert, 233, 234, 237.
 Ralston, Wm., 47.
 Rickey, J. M., 48.
 Riddle, A. G., 422.
 Rockwell, A. F., 283.
 Russell, Lord, 192.
 Safford, A. J., 418.
 Sawyer, Philetus, 346.
 Saxton, Mrs. Rufus, 420.
 Saxton, Rufus, 186, 297.
 Seddon, J. A., 237.
 Seward, W. H., 128, 187.
 Schofield, J. M., 377.
 Schurz, Carl, 306.
 Scott, Winfield, 87.
 Shaler, Charles, 54, 415.
 Sheridan, P. H., 312.
 Sherman, W. T., 298, 332.
 Sickles, D. E., 73.
 Simpson, S. Elizabeth, 374.
 Smith, Mrs. J. G., 324.
 Smythe, A. H., 30.

Smythe, G. B., 251.
 Somers, L. A., 147, 350, 421.
 Southworth, Mrs. E. D. N., 417.
 Spinner, F. E., 83.
 Stoeckl, Edward de, 386.
 Starkey, T. A., Rev., 375.
 Sumner, Chas., 117.
 Sweany, Thos., 351.
 Taney, R. B., 64.
 Taylor, Alfred, 40, 45, 49, 50, 66.
 Thaw, Wm., 25.
 Thomas, Lorenzo, 334.
 Thompson, Jacob, 99.
 Tinker, C. A., 262.
 Townsend, E. D., 117, 166, 179,
 184, 187, 189, 343, 348, 349, 354,
 373, 377, 378, 389, 409, 418, 422.
 Turner, A. C., 34.
 Vallandigham, J. L., 48.
 Van Horn, Burt, 337.
 Van Vliet, Stewart, 124.
 Viele, E. L., 155.
 Vincent, Thos. M., 35, 188, 248,
 282, 284, 290, 292, 351, 354, 378,
 384.
 Wallace, Lew, 171.
 Weed, Thurlow, 101.
 Weld, Theodore D., 31.
 Welles, Gideon, 187.
 Whiting, Wm., 185.
 Whiton, W. H., 205, 206, 418.
 Wilson, Henry, 334.
 Wilson, W. B., 217, 218.
 Wood, Wm. P., Col., 64, 250, 370.
 Wool, Gen. John E., 108.
 Worthington, A. S., 334, 361.
 Renwick, H. B., 152.
 Report on the Conduct of the War,
 136, 168.
 Republican (Party, Platform, Pol-
 icy), 80, 108, 109, 111, 112, 117,
 124, 335, 336, 338, 341, 391, 405,
 406.
Republican, The, 156.
 Resolutions, 37, 38, 132, 344, 354,
 394.
 Rice, H. M., 131.
 Richmond, 138, 146, 147, 148, 150,
 152, 158, 159, 166, 172, 181, 192,
 193, 194, 197, 199, 216, 224, 229,
 231, 235, 238, 249, 253, 255, 257,
 261, 262, 267, 269, 270, 271, 273,
 276, 277, 278, 285, 302, 323, 355,
 365, 370, 379, 386, 393.
Richmond Dispatch, 323.
Richmond Inquirer, 323.
 Rickey, J. M., 48.
 Riddle, A. G., 422, 423.
 Riggin, John, 219, 220.
 Riggs and Company, 344.
 Ripley, Jas. W., 153, 159, 161, 251.
 "Rise and Fall of the Confederate
 Government," 83.

Roane, Archibald, 102.
 Robinson, Wm., 84, 90, 91, 93, 98.
 Rockwell, A. F., Col., 281, 283.
 Rodgers, John, 154, 155, 156.
 Rosecrans, W. S., Gen., 203, 205,
 206, 207, 383, 389.
 Ross, E. G., 341, 344.
 Russell, Lord, 192.
 Russell, W. H., 209.
 Russia, 116, 163, 192, 386.
 Rutherford, Col., 284.

S

Safford, A. J., 418.
 Salisbury, 233.
 Salomon, Edward, 144, 245, 246.
 Sampson, R., 64.
 Sanborn, A. L., 219.
 San Antonio, 107.
 Sanford, E. S., 167, 168, 216.
 San Francisco, 68, 69, 70, 71, 72, 73.
 San Gare, 71.
San Jacinto, The, 121, 155.
 Santa Clara, 71.
 Sault Ste. Marie, 254.
 Saunders Farm, 276.
 Savannah, 214, 298, 373.
Savannah, The, 155, 230.
 Sawyer, Philetus, 307, 346.
 Saxton, Mrs. Rufus, 420.
 Saxton, Rufus, 186, 297, 298, 353,
 380.
 Schell, Augustus, 94, 95.
 Schenck, R. C., 366, 381, 296.
 Schofield, John M., 221, 316, 343,
 362, 377.
 Schurz, Carl, 227, 305, 306, 313.
 Scott, John, 400.
 Scott's "Comments," 105.
 Scott, T. A., 127, 199, 200, 204, 205,
 206, 217, 358, 400.
 Scotland, 293.
 Scott, Winfield, 87, 99, 105, 107,
 108, 109, 114, 115, 117, 138.
 Scranton, 219, 220.
 Secession, 21, 84, 87, 89, 91, 96, 97,
 100, 101, 102, 103, 107, 108, 112,
 135, 136, 183, 219, 276, 277, 279,
 305, 320, 391, 424.
 Secretary of State,
 Black, J. S., 83.
 Cass, Lewis, 82, 83.
 Seward, W. H., 119, 213, 302.
 Secretary of the Interior,
 Harlan, Jas., 303, 329.
 Smith, Caleb B., 115, 119, 122, 123,
 177.
 Thompson, J., 98, 254.
 Secretary of the Navy,
 Welles, Gideon, 119, 138, 152, 153,
 154, 163, 165, 303.
 Toucey, Isaac, 100.
 Secretary of the Treasury,

Chase, S. P., 119.
 Dix, John A., 101.
 McCulloch, Hugh, 302.
 Thomas, P. E., 101.
 Secretary of War,
 Belknap, W. W., 409.
 Benjamin, J. P., 229.
 Breckinridge, J. C., 263.
 Cameron, Simon, 114, 115, 116,
 119, 127, 135, 136.
 Floyd, J. B., 84.
 Grant, U. S., 321.
 Holt, Jos, 84, 98, 306
 Randolph, G. W., 230.
 Schofield, J. M., 377.
 Seddon, J. A., 237.
 Stanton, E. M., 19, 20, 61, 117,
 118, 119, 124, 130, 132, 136, 138,
 140, 141, 143, 144, 150, 156, 162,
 165, 166, 167, 170, 178, 179, 185,
 187, 189, 196, 202, 203, 205, 212,
 214, 215, 217, 218, 221, 222, 249,
 250, 252, 255, 256, 263, 272, 273,
 275, 279, 280, 286, 289, 298, 303,
 312, 316, 318, 319, 320, 321, 322,
 324, 328, 329, 330, 334, 335, 336,
 337, 338, 344, 345, 348, 349, 350,
 352, 354, 356, 359, 361, 365, 366,
 367, 369, 374, 376, 377, 378, 379,
 383, 385, 387, 396, 397, 405, 406,
 417, 418, 419, 420, 426.
 Thomas, L., 347.
 Seddon, J. A., 237.
 Senate, United States, 36, 83, 101,
 110, 117, 135, 190, 238, 308, 315,
 321, 322, 328, 330, 332, 333, 334,
 336, 337, 340, 341, 343, 405, 406,
 408.
 Sewall's Point, 153, 155.
 Seward, F. W., 107, 108, 279, 281,
 282.
 Seward, W. H., 105, 106, 107, 111,
 112, 116, 119, 123, 124, 135, 179,
 185, 187, 194, 203, 213, 237, 258,
 260, 264, 275, 278, 279, 281, 282,
 283, 299, 301, 303, 304, 310, 312,
 367, 368, 401.
 Seymour, Horatio, 187, 213, 241,
 242, 243, 394, 396, 397, 398, 399.
 Shaler, Chas., 42, 53, 54, 57, 80, 84,
 412.
 Shaler, C., 54, 415.
 Sharon, Joseph, 42.
 Sheldon, G. D., 222.
 Shenandoah Valley, 152, 384.
 Shepley, Geo. F., 263, 297, 299, 364.
 Sheridan, P. H., 220, 312, 316, 339,
 373, 391.
 Sherman, John, 267, 331.
 Sherman-Johnston, Terms of Sur-
 render, 21, 266, 288, 331.
 Sherman, Wm. T., 21, 165, 188, 203,
 207, 210, 214, 245, 263, 264, 265,

266, 267, 268, 270, 288, 289, 298,
 323, 331, 332, 373, 394.
 Sherman, Mrs. W. T., 289.
 Shields, Jas., 382.
 Shiloh, 143, 368.
 Ship Island, 84, 182.
 Shotwell Suits, 32.
 Shriver, E., 374.
 Sickles, Daniel E., 73, 74, 78, 79, 316.
 Sickles, Mrs., 74.
 Sickles, Stanton, 78.
 Sigel, Franz, 244, 371.
Silver Wave, The, 84.
 Simpson, Matthew, 371, 372, 373,
 374, 405.
 Simpson, S. Elizabeth, 374.
 Sinclair, Dr., 45.
 "Six Months in the White House,"
 259, 345, 385.
 Slavery (Slaves), 20, 21, 25, 26, 30,
 31, 54, 74, 105, 114, 116, 117, 152,
 182, 183, 184, 185, 187, 189, 232,
 258, 267, 297, 299, 306, 311, 316.
 Slidell, John, 97, 99, 121, 122, 124,
 242.
 Smith, Caleb B., 115, 119, 122, 123,
 177.
 Smith, Gen., 131, 202, 244.
 Smith, W. F., 138.
 Smith, Wm., 302.
 Smith, J. Gregory, 324, 325, 356,
 387, 392.
 Smith, Mrs. J. Gregory, 324, 325.
 Smythe, A. H., 30.
 Smythe, G. B., 251, 252.
 Snyder's "Great Speeches by Great
 Lawyers," 74.
 Soldiers' Home, 203, 204.
 Somers, L. A., 147, 218, 350, 421.
 Sons of Liberty, 249, 254.
 Sons of Patriots, 251.
 South Carolina, 81, 82, 83, 84, 85,
 86, 87, 88, 89, 90, 91, 92, 93, 94,
 96, 99, 100, 102, 103, 183, 184, 297,
 305, 316, 359.
 South Mountain, 192.
 Southworth, Mrs. E. D. N., 417.
 South, The (Southern States, etc.),
 21, 80, 81, 83, 89, 96, 97, 98, 99, 100,
 101, 103, 106, 110, 112, 114, 188,
 189, 192, 229, 231, 232, 234, 237,
 238, 249, 250, 272, 274, 298, 300,
 304, 309, 312, 313, 316, 332, 338,
 339, 356, 357, 360, 372, 392, 393,
 394, 395, 418.
 Spain, Spanish, etc., 69, 72, 215, 248,
 291, 355.
 Spalding, M. J., 287, 372.
 Spalding, The, 214, 262, 373.
 Spangler, Edward, 286, 287.
 Sparrow, Wm., 349, 350, 374, 409,
 "Speeches and Writings of T. L.
 Clingman," 83.

Speed, Jas., 282, 286, 287.
 Spinner, F. E., 83.
 Springfield, 264.
 St. Albans, 254, 324, 325.
 St. Helena, 40, 386.
 St. Louis, 310, 379.
 Stager, Anson, 207, 216, 217, 218, 219, 294, 358, 388.
 Stanbery, Henry, 316, 340.
 Stanton, Benjamin, 103.
 Stanton, Bessie, 325, 400.
 Stanton, Darwin E., 32, 33, 37, 45, 79, 423.
 Stanton, Dr. David, 22, 23, 25, 26.
 Stanton, Edwin L., 28, 38, 51, 68, 343, 367, 384, 402, 412, 416, 417.
 Stanton, Mrs. Ellen H., 79, 107, 111, 314, 378, 399, 403, 407, 408, 410, 411, 412, 418.
 Stanton, James H., 170.
 Stanton, Lucy Lamson, 36, 37, 38.
 Stanton, Lewis H., 412.
 Stanton, Mary A., 37, 39, 40, 66, 79, 423, 426.
 Stanton, Lucy Norman, 22, 23, 25, 30, 79.
 Stanton, Oella, 61, 79.
 Stanton Patch, The, 49.
 Stanton Street, 49.
 Stanton, Dr. Wm., 276.
Star of the West, 68, 99.
 "Star Spangled Banner," 73.
 Stars and Stripes, Order of, 251.
 Starkey, T. A., 372, 375, 408, 409.
 Statements by (See Remarks).
 Steedman, J. B., 207, 323.
 Stephens, A. H., 102, 257.
 Steubenville, 22, 23, 24, 31, 32, 33, 36, 38, 39, 40, 43, 45, 47, 49, 50, 51, 52, 54, 56, 66, 79, 252, 276, 294, 345, 349, 361, 375, 394, 410, 412, 414, 415, 416, 417, 426.
 Steubenville, Bank of, 36.
 Steubenville Greys, 44, 46.
 Stevens, Thaddeus, 347.
Stevens, The, 154, 155.
 Stewart, Frank, 222.
 Stier's Hall, 49.
 Stoeckl, Edward de, 386.
 Stone, Amasa, 206, 400.
 Stone, C. P., 133, 135, 136, 137.
 Stone, Mrs. C. P., 136.
 Stoneman, Gen., 365.
 Stuart, J. E. B., 172, 198.
 Sumner, Chas., 117, 135, 306, 409.
 Sumner, E. V., 138, 149, 159, 169.
 Sumter, Fort, 68, 85, 87, 91, 92, 93, 95, 105, 107, 108, 112, 216, 274, 275, 278, 280, 316.
 Sunderland, Byron, Rev., 276, 372.
 Surratt, Mary E., 278, 286, 287, 364.
 Surrattsville, 278.
 Swanton, 254.

Swayne, Justice, 212, 404, 409.
 Sweany, Thos., 351.
 Symington, John, 84.

T

Tailhold Clubs, 312.
 Talbot, Wm., 42.
 Talbot, Captain, 107.
 Taney, R. B., 57, 64, 73, 135, 405.
 Tappan, Judge Benjamin, 36, 38, 42, 44.
 Tappan, Dr. Benj., 44, 56, 61.
 Tappan, Oella Stanton, 61.
 Tappan, Benj. Jr., 348.
 Taylor, Alfrea, 40, 45, 49, 50, 66.
 Taylor, Gen., 159.
 Taylor, Hudson, 279.
 Taylor, Zachary, 53.
 Telegrams from
 Halleck, H. W., 173.
 Lincoln, Abraham, 149, 166, 192, 201, 359.
 McClellan, G. B., 140, 151, 172.
 Morton, O. P., 250.
 Sherman, W. T., 245.
 Stanton, E. M., 140, 146, 147, 149, 150, 153, 154, 155, 163, 164, 166, 167, 169, 198, 199, 200, 202, 204, 205, 206, 207, 209, 210, 213, 215, 226, 241, 242, 243, 245, 246, 260, 261, 295, 362, 378, 379, 382, 383, 398, 421.
 Telegrams to
 Banks, N. P., 382.
 Boyle, J. T., 204.
 Brooks, W. T. H., 198.
 Brough, Gov., 244.
 Burnett, Mayor, 163.
 Burnside, A. E., 382.
 Butler, Mayor, 163.
 Cameron, Simon, 201.
 Dana, C. A., 205, 383.
 Dix, John A., 213, 295.
 Ellet, Chas., 163, 164, 165.
 Garrett, J. W., 200.
 Grant, U. S., 259, 260, 362, 378, 379.
 Halleck, H. W., 163, 173, 199, 382.
 Hancock, W. S., 421.
 Hooker, Jos., 199, 209.
 Howe, T. O., 241.
 Kelly, Gen., 202.
 Lincoln, Abraham, 261.
 McClellan, G. B., 140, 146, 147, 148, 149, 150, 151, 166, 167, 169, 172, 173, 192.
 McDowell, Irwin, 150, 160.
 Meade, Geo. G., 201.
 Mitchell, O. M., 382.
 Morgan, E. D., 245.
 Morgan, G. W., 382.
 Morton, O. P., 246, 362.

Rosecrans, W. S., 383.
 Salomon, Edward, 245, 246.
 Seymour, Horatio, 242, 398.
 Sherman, W. T., 383, 421.
 Shields, Jas., 382.
 Stone, Amasa, 206.
 Thomas, Geo. H., 201.
 Vanderbilt, Cornelius, 153, 226.
 Watson, P. H., 154, 155, 207.
 Wool, John E., 154, 382.
 Telegraph, Military, 20, 216, 217,
 219, 222, 227, 244, 294, 388.
 Telegraph Co., Western Union, 294,
 421.
 Tennessee, 58, 167, 207, 296, 299,
 300, 341, 343, 344, 358.
 Terry, A. H., 214.
 Texas, 96, 97, 107, 316, 339, 352, 373.
 Thaw, Wm., 25.
 Theological Seminary of Virginia,
 349.
 Thomas, Geo. H., 143, 207, 381, 383.
 Thomas, Lorenzo, 115, 159, 161, 188,
 201, 221, 293, 333, 334, 335, 340,
 342, 343, 364.
 Thomas, P. E., 86, 100.
 Thompson, Jacob, 83, 86, 94, 98,
 101, 254, 284, 359.
 Thoms, Wm., 42.
 Tilton, Theodore, 371, 392.
 Times, Chicago, 210.
 Times, London, 209.
 Times, New York, 98, 209, 210, 241.
 Tinker, C. A., 217, 220, 222, 262.
 Tippecanoe, 261.
 Tod, Governor, 135, 232, 397.
 Totten, Jas., Gen., 159.
 Toucey, Isaac, 86, 99, 100.
 Townsend, E. D., 117, 136, 166, 178,
 179, 184, 187, 189, 205, 293, 343,
 348, 349, 352, 354, 360, 373, 374,
 377, 378, 389, 402, 406, 408, 409,
 410, 412, 418, 422.
 Train, Chas. R., 132.
 Treasury, U. S., 37, 118, 248, 249,
 283, 332, 341, 360.
 Trent, The, 121, 123.
 Trescot, W. H., 85, 86.
 Tribune, N. Y., 98, 125, 129, 132, 211,
 215, 241, 392.
 Trinity Episcopal Church, 66.
 Trumbull, Lyman M., 143, 190, 258,
 338, 341.
 Trumbull Amendment
 (See Amendment).
 Tucker, John, 127.
 Turnbull, Jas., 23, 24, 27, 30.
 Turner, A. C., 34.
 Tuscarawas County, 32.
 "Twenty Years of Congress," 140.
 Twiggs, D. E., 107, 352.
 Tyler, John, 100.

Umbstaetter, Theobald, 42, 54, 69,
 84, 412.
 Union League, 251, 280, 409.
 Union Relief Society, 249, 250.
 Union, The, 20, 21, 68, 81, 82, 83,
 84, 85, 89, 90, 91, 92, 96, 101, 102,
 108, 109, 112, 114, 117, 118, 125,
 132, 137, 138, 177, 184, 189, 192,
 196, 217, 218, 222, 236, 239, 240,
 246, 258, 263, 273, 291, 296, 299,
 301, 307, 309, 316, 339, 350, 356,
 358, 359, 363, 368, 371, 372, 392,
 393, 394, 398.
 United States
 Army, 20, 21, 156, 197, 355, 364,
 369, 384, 409.
 Arsenal, 101.
 Bank of Pittsburg, 43.
 Circuit Court, 82.
 District Attorney, 67, 73.
 District Court, 62.
 Federal Court, 62, 79, 101.
 Military Railroads, 20, 198, 204,
 223, 226, 227, 295, 418.
 Military Telegraph, 20, 216, 217,
 219, 222, 227, 244, 294, 388.
 Navy, 20, 111, 152, 153, 154, 156,
 163, 355, 409.
 Navy Yard, 155, 156.
 Senate, 36, 83, 101, 110, 117, 190,
 238, 308, 315, 321, 322, 328, 330,
 332, 333, 334, 336, 337, 340, 341,
 343, 405, 406, 408.
 Supreme Court, 55, 57, 57, 59, 61,
 63, 64, 67, 68, 71, 80, 105, 106,
 107, 112, 135, 252, 253, 264, 269,
 271, 326, 368, 376, 386, 405, 407,
 412, 426.
 Treasury, 37, 44, 101, 128, 186,
 248, 249, 283, 332, 341, 360.
 United States, The, 26, 27, 37, 43,
 59, 61, 67, 71, 82, 88, 91, 92, 94,
 96, 98, 107, 108, 110, 121, 127, 128,
 133, 134, 143, 176, 184, 185, 186,
 187, 188, 192, 208, 223, 229, 230,
 231, 232, 234, 235, 236, 237, 244,
 246, 251, 264, 266, 267, 269, 270,
 273, 282, 296, 297, 299, 301, 302,
 303, 311, 318, 321, 326, 357, 370,
 371, 379, 394, 395, 397.
 Usher, J. P., 282.

V
 Vollandigham, C. L., 131, 249, 250,
 252.
 Vollandigham, Jas. L., 48.
 Van Alen, J. H., 210.
 Van Buren, Martin, 38, 42, 53, 54.
 Vanderbilt, Cornelius, 152, 153, 226.
 Vanderbilt, The, 153, 154, 155.
 Van Horn, Burt, 337.
 Van Vliet, Stewart, 124.

Van Winkle, P. G., 341.
 Vermont, 324, 356, 387, 392.
 Vickers, Geo., 344.
 Vicksburg, 165, 200, 231, 232, 238, 401.
 Viele, E. L., 154, 155.
 Vincent, Thos. M., 35, 156, 188, 248, 281, 282, 284, 290, 292, 294, 351, 354, 378, 381, 384, 404, 408, 412, 422.
 Vincent, Mrs. T. M., 381.
 Virginia, 21, 23, 25, 26, 37, 45, 46, 54, 58, 59, 62, 63, 85, 96, 101, 103, 107, 114, 117, 133, 144, 157, 164, 193, 194, 205, 206, 209, 222, 223, 227, 231, 266, 269, 270, 272, 282, 302, 303, 316, 349, 361, 364, 365, 402.
 Vogdes, Israel, 100.

W

Wade, B. F., 119, 136, 341, 387, 421.
 Wadsworth, Jas. S., 149.
 Wakeman, Postmaster, 241.
 Wall Street, 216, 353, 396.
 Wallace (partner), 42.
 Wallace, Lew, 171, 388.
 Walter, Father, 287.
 Walworth, Chancellor, 57.
 War Department, 20, 48, 84, 92, 110, 115, 117, 118, 119, 120, 123, 125, 127, 128, 129, 130, 131, 132, 139, 145, 150, 151, 153, 154, 162, 163, 165, 166, 167, 169, 170, 173, 176, 179, 185, 188, 190, 194, 197, 198, 203, 208, 209, 210, 211, 212, 213, 216, 217, 218, 221, 225, 226, 230, 242, 248, 249, 251, 253, 261, 265, 271, 272, 273, 274, 285, 289, 291, 294, 295, 303, 309, 320, 321, 322, 323, 326, 330, 331, 333, 334, 335, 336, 337, 341, 342, 343, 347, 350, 351, 352, 353, 354, 356, 357, 362, 363, 365, 373, 374, 378, 379, 380, 381, 382, 383, 384, 385, 387, 391, 394, 409, 411, 417, 418, 419, 422, 424, 425.
 "War Powers under the Constitution," 184, 294.
 War, Secretary of (see Secretary of War).
 Warren, Fort, 121, 252.
 Washington, D. C., 21, 23, 27, 33, 35, 44, 45, 54, 56, 61, 62, 63, 64, 67, 73, 79, 82, 83, 85, 88, 90, 96, 97, 98, 100, 102, 103, 104, 107, 109, 110, 115, 118, 120, 121, 122, 124, 126, 128, 131, 139, 144, 148, 149, 150, 152, 153, 154, 156, 157, 158, 159, 161, 163, 165, 166, 170, 175, 176, 178, 179, 180, 181, 183, 186, 188, 189, 191, 192, 194, 195, 197, 199, 201, 203, 204, 205, 207, 210,

212, 213, 216, 217, 219, 222, 226, 227, 245, 246, 249, 250, 252, 257, 259, 261, 264, 266, 267, 268, 270, 271, 273, 274, 275, 276, 277, 279, 281, 286, 287, 293, 305, 309, 310, 313, 316, 325, 331, 334, 340, 342, 344, 345, 349, 350, 351, 352, 353, 356, 357, 358, 361, 363, 365, 370, 372, 373, 374, 375, 377, 379, 380, 381, 383, 386, 387, 388, 389, 390, 394, 395, 397, 401, 403, 409, 411, 412, 415, 418, 420, 421.
 Washington, Geo., 195.
 Washington Township, 33.
 Waterloo, 129.
 Watchman, Ohio, 210.
 Watervliet Arsenal, 87, 198.
 Watson, Peter H., 64, 65, 68, 70, 89, 90, 116, 127, 154, 155, 176, 184, 207, 211, 293, 295, 313, 314, 350, 351, 358, 399, 400, 402, 404, 412, 421, 422.
 Watson, Mrs. P. H., 314, 401, 404.
 Wayne, Justice, 57.
 Weed, Thurlow, 94, 98, 101.
 Weitzel, Godfrey, 261, 262, 263, 266, 269, 270, 271, 386.
 Weld, Theodore D., 31.
 Welles, Gideon, 119, 152, 153, 163, 165, 177, 187, 255, 260, 282, 315.
 Wellsville, 55.
 Western Union Telegraph Company, 294, 421.
 West Point, 196, 201, 207, 224, 273, 295, 358, 366.
 West Virginia, 50, 266, 276, 341, 362, 402.
 Westminster Review, 368.
 Wheatland, 105, 109, 131.
 Wheeling, 25, 42, 54, 55, 57, 58, 144, 351, 362, 401, 402.
 Wheeling Bridge Case, 20, 53, 54, 351, 385.
 Wheeling & Belmont Bridge Company, 54, 351.
 Whig, 33, 36, 37, 53.
 White Camalias, 312.
 White House, 19, 86, 88, 98, 102, 201, 212, 217, 259, 283, 284, 305, 308, 310, 320, 321, 330, 331, 338, 341, 345, 357, 385, 388, 405, 406, 407, 421, 426.
 White House," "Carpenter's Six Months in the, 259, 345, 385.
 Whitehall, 254.
 White, Horace, 98.
 White Leagues, 312.
 Whiting, Wm., 185, 294.
 Whitney vs. Mowry, 404.
 Whiton, W. H., 204, 205, 206, 418.
 Wigfall, L. T., 97, 109, 110.
 Will, last, 411, 412.
 Wilkes, Chas., 121.

Willard's Hotel, 89, 366.
Williams, Gen., 364, 365.
Williamsport, 202.
Wilmington, 210, 214.
Willoughby's Point, 155.
Winchester, 158, 159.
Wilson, Geo., 84.
Wilson, Henry, 334.
Wilson, Samuel, 38.
Wilson, W. B., 217, 218.
Wirz, Capt. Henry, 236.
Wisconsin, 62, 89, 135, 144, 240, 241,
245, 246, 307, 326, 343, 346, 354,
356, 384, 405.
Witt, Stillman, 400, 401, 402, 403.
Wolcott, C. P., 295, 367.
Wolfboro, N. H., 403.
Woman's Relief Corps, 365, 371.
Wood, Benj., 253.
Wood, Fernando, 97, 253, 255.

Wood, Wm. P., 63, 64, 233, 250,
276, 294, 295, 370.
Woodward, G. W., 243, 391.
Wool, Fort, 155, 382.
Wool, John E., 108, 147, 154, 155,
156, 229, 230, 355, 382.
World, N. Y., 212, 213.
Wormley, 126.
Worthington, A. S., 333, 334, 340,
361.
Worthington, D. B., 361.
Wright, Dr., D. M., 219.
Wylie, Andrew, 287, 412.

Y

York, 198.
York River, 146.
Yorktown, 148, 149, 150, 155.

Z

Zachos, John C., 66.

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